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REPORT  
*of the*  
COMMISSIONERS  
APPOINTED  
To Revise the Penal Code  
*of the*  
COMMONWEALTH OF  
PENNSYLVANIA

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CODE OF CRIMINAL LAW

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DECEMBER 1, 1924

PYP397/3.1  
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## REPORT.

*To the Honorable, the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly Met:*

A Commission was appointed under the joint resolution of July 25, 1917, to revise, collate and digest all acts and statutes relating to or touching the penal laws of the Commonwealth; to collect and reduce into one all acts and statutes, and parts of acts and statutes, relating to or touching the penal laws of the Commonwealth; to suggest to the Legislature any contradictions or omissions, defects or imperfections that may appear in the acts and statutes to be revised and the mode in which the same may be reconciled, supplied, improved or amended; to designate such acts or statutes as ought to be repealed, and to prepare and submit to the Legislature new acts or statutes as such repeal may render advisable or necessary and generally to execute the trust confided to them in such a manner as to render the Penal Code of Pennsylvania more efficient, clear and perfect, and the punishments inflicted on crimes and misdemeanors more uniform and better adapted to the suppression of crimes and the reformation of the offender, and to report the result of their labors to the Legislature on or before the first day of January, 1919. A resolution of June 23, 1919, continued the said Commission and directed it to continue its labors and to make final and complete report to the General Assembly of 1921. The Commission submitted its report in 1921, as directed. A resolution of May 27, 1921, continued the Commission for two years, and authorized it to revise, collate and digest all the acts and parts of

acts relating to criminal procedure. The Commission submitted its report to the General Assembly, in 1923. A resolution of June 14, 1923, continued the Commission for two years, provided for the appointment of two additional members, and directed it to report to the General Assembly of 1925. The Commission respectfully submit the result of their labors to the consideration of the Legislature.

The Commissioners submit herewith, as embracing the object contemplated by the Legislature, in its resolution of July 25, 1917, a bill entitled "An act to consolidate, revise and amend the penal laws of the Commonwealth." A bill to consolidate, revise and amend the criminal procedure will be submitted in a separate pamphlet.

The Legislative resolution instructs the Commission, in its report on the penal laws, "to arrange the same systematically under proper titles, divisions and sections." The Commission has adopted in the main the existing excellent classification made in the Act of 1860, March 31, commonly known as the Penal Code of Pennsylvania. By preserving this classification, the Legislature will be enabled to judge readily the defects and inadequacies of the existing laws and to note the changes the Commission has made therein and such new provisions as are submitted.

The resolutions of the Legislature require that in any proposed change in the phraseology thereof the said change shall be clearly and distinctly set forth, together with the acts or statutes proposed to be altered or amended. In performance of this duty, the Commission has followed the plan adopted by the Commission of 1860 under a similar resolution, by submitting with the bill a commentary. This com-



mentary will show, as to each section of the bill, whether such section is merely a re-enactment, with verbal changes, a partial amendment, a modification of existing law or an entirely new provision. As the proposed act contains more than three hundred sections and embraces practically all the penal legislation of the Commonwealth since 1860, including the penal code of 1860, any other method would be impracticable. It would manifestly serve no useful purpose to reprint the whole penal legislation of the State which the proposed act supplants.

Before taking up the specific provisions of the proposed act, certain general observations may be made on the bill as a whole. In our penal legislation generally the principle has been followed of prescribing only a maximum punishment. In a few isolated cases the Legislature has introduced a minimum punishment requiring the judge on conviction, no matter what the extenuating circumstances may be, to impose the punishment provided. In the proposed act, the general principle has been followed, and maximum punishments only are provided. This is in accordance not only with the great mass of the penal legislation in our own State but also in accordance with the more scientifically drawn codes of other States. It must often be that the technical provisions of a law have been violated when no real guilt attaches to the offender. In such cases the minimum penalty should be left to the discretion of the trial judge.

The resolutions creating the Commission provide that it shall be the duty of the Commissioners to collect and reduce into one act all acts and statutes relating to or touching the penal laws of the Commonwealth. In the execution of this part of the resolu-

tions, the Commission has omitted from the proposed bill those occasional acts which are special in their nature, such as acts applying only to certain counties or boroughs, or to certain rivers in the Commonwealth, and has confined itself to those acts only which are of general application over the whole State. It is conceived that special acts have no place in a general penal code. Another class of acts having penal provisions which the Commission has left untouched are acts which form a system in themselves. Such acts are the game laws, the election laws, banking laws, automobile laws, factory and factory inspection laws, etc. Though these laws sometimes contain penal provisions, it would only cause confusion to extract the penal section from its context, and place it in the penal code. Furthermore, such inclusion in the penal code would frequently require the inclusion also of many sections not penal, and sometimes the inclusion of the whole act, since such penal provisions frequently provide merely that any one violating any of the provisions of the said act shall be punished, etc. The resolutions of 1917 do not seem to the Commission to embrace such laws. However, as frequently happens, where such laws contain provisions properly belonging in a penal code, as for example, where an act provides for the making of affidavits, and declares that any one swearing falsely shall be punished, or where an act relating to partnerships provides for embezzlement by partners, such sections have been incorporated in the proposed act, either by special or general provisions.

In the Code of 1860, and in the penal legislation of the State since that time, while the usual punish-

ment for offenses is fine and imprisonment, or fine or imprisonment, the different sections of the Code and the different acts show no definite relation between these two penalties; in some acts the term of imprisonment prescribed is five years and the fine is \$2000, while in others the penalty is three years and the fine \$5000. In the proposed act the Commission has adopted a definite relation between fine and the imprisonment, so that all crimes which are punishable with the same number of years of imprisonment will be likewise punished by the same amount of fine.

In the Code of 1860, and in the subsequent penal legislation, no general principle has been followed differentiating felonies and misdemeanors. Some offenses are made felonies while other offenses more severely punished are called misdemeanors. In the proposed act, a definite principle has been followed. All crimes which are punished by a maximum penalty of five or more years are made felonies; all offenses to which a lesser term of imprisonment is attached are made misdemeanors.

In the existing criminal law of the Commonwealth, the attempt to commit certain crimes is punished with the same punishment as the commission of the crime itself. In the cases of other crimes, no punishment is provided for the attempt. The proposed act includes a general section on attempts, covering cases of attempt to commit any crime; as well as a general section on conspiracy and one on solicitation to commit a crime.

With these preliminary observations, the Commission proceeds to note specifically the changes in existing law effected by the proposed act.

## TITLE I.—OFFENSES AGAINST THE GOVERNMENT OF THE COMMONWEALTH.

SECTION 1 replaces Section 1 of the Code of 1860. It is an adaptation of Section 1 of the Code of 1860 and Section 1 of the Federal Penal Code of 1909. It omits the requirement that the accused owe allegiance to the Commonwealth of Pennsylvania. The penalty is increased from a maximum of twelve years to life imprisonment.

SECTION 2 replaces Section 2 of the Code of 1860. It adds the "District Attorney" to the persons who may be informed of the commission of treason, and omits the proviso contained in Section 2. The penalty as to the fine is increased from \$1000 to \$3000.

SECTION 3 is new.

SECTION 4 replaces the Act of 1919, June 26, P. L. 639, and the amending Act of 1921, May 10, P. L. 435, omitting (d) and (e) of the Act of 1919 and 1921. The penalty is the same.

SECTION 5 replaces the Act of 1897, April 29, P. L. 34. The penalty of one year is added.

SECTION 6 replaces the Act of 1907, May 23, P. L. 225. It is an adaptation of the proposed act of the American Bar Association. The crime is made a misdemeanor instead of a felony, and the fine is reduced from \$500 to \$200.

SECTION 7 replaces and re-enacts part of Section 48 of the Code of 1860; part of Sections 1 and 2, Act of 1874, April 29, P. L. 115; Section 2, Act 1901, May 2, P. L. 120, and Section 8, Act 1919, May 27, P. L. 310. This section extends the provisions of the above acts to the bribing of other public officers. The penalty is different in various existing acts which which this section supplies.

SECTION 8 is a re-enactment of that part of Section 48 of the Code of 1860 which relates to the acceptance of bribes by legislators and officers; Section 8, Act 1874, May 23, P. L. 230; Section 8, Act 1889, May 23, P. L. 277. It adds thereto the taking or soliciting of bribes by councilmen and burgesses as provided for in Section 1, Act 1901, May 2, P. L. 120; Section 7, Act 1919, June 20, P. L. 310. The remainder of Section 48 of the Code of 1860 is re-enacted in Sections 30 and 31 of the proposed act. The penalties in the existing acts are different. The proposed section makes the crime a felony.

SECTION 9 re-enacts Section 51 of the Code of 1860, and broadens that section to cover threats of dismissal from office, employment, etc.

SECTION 10 re-enacts Section 50 of the Code of 1860. It broadens that section to cover soliciting a bribe. The penalty is increased from six months to one year, and the fine from \$100 to \$500.

SECTION 11 re-enacts the provisions of Section 1, Act 1872, March 14, P. L. 25. It broadens the said



act to include the Legislature as well as committees and to cover a refusal or neglect to produce books and papers. The imprisonment is increased from 6 months to 1 year and the fine reduced from \$1000 to \$500.

## TITLE II.—OFFENSES AGAINST PUBLIC JUSTICE AND ADMINISTRATION.

SECTION 12 replaces Section 127, Code 1860, and broadens it to cover conspiring to falsely arrest. It increases the penalty from three years and \$1000 to five years and \$2000, and makes the offense a felony instead of a misdemeanor.

SECTION 13 replaces Section 3 of the Code of 1860. It clears the ambiguities in said Section 3, and broadens it to provide for escape from custody not provided for in said Section 3. It provides one penalty in all cases of escape.

SECTION 14 re-enacts Section 2, Act 1911, May 11, P. L. 274, which it broadens to include the furnishing of weapons to prisoners who are not convicts. The penalty is increased from \$1000 to \$2000.

SECTION 15 supplies Section 5 of the Code of 1860, and Section 12 of the Act of 1923, May 19, P. L. 283. The penalty is different in the two acts.

SECTION 16 supplies Section 6 of the Code of 1860. It broadens Section 6 to cover not only escapes

due to gross negligence, but to escapes due to a failure to perform any duty and includes not only the escape of a person in custody under a criminal charge, but the escape of any person in lawful custody.

SECTION 17 replaces Section 7 of the Code of 1860. It broadens Section 7 by adding "Any person" to the persons mentioned in Section 7, and by including "omitting" as well as "refusing" to execute process. It makes the offense a misdemeanor instead of a felony, and changes the fine from \$500 to \$1000.

SECTION 18 is new, though it embraces the provisions of Section 11 of the Act of 1923, May 19, P. L. 283, reducing the penalty in that act. It is intended to cover derelictions of duty by any public officer. Similar provisions are found in the statutes of other states.

SECTION 19 re-enacts the Act of 1915, April 9, P. L. 76, with verbal changes to conform to the form adopted in other sections of the proposed act.

SECTIONS 20 and 21 replace Section 8 of the Code of 1860, Section 5 of the Act of 1923, May 19, P. L. 283, and part of Section 6 of the same act. They extend Section 8 to cover the resistance to or assault on any public officer in the discharge or the attempt to discharge any duty of his office. The penalty in Section 20 is increased from \$100 to \$500, and in Section 21 is increased to two years and \$1000. The penalty in Section 5 of the Act of 1923 is ten years' imprisonment and ten thousand dollars fine; that in Section 6 is six months and one thousand dollars.



SECTION 22 replaces Section 9 of the Code of 1860 and extends the provisions of said section to cover any kind of judicial proceedings. The penalty is increased to \$500.

SECTION 23 replaces Section 10 of the Code of 1860. It changes the existing law by extending the crime of compounding to all crimes instead of the ones enumerated in Section 10 of the Code. It grades the penalty according to the gravity of the offense compounded.

SECTION 24 replaces Section 11 of the Code of 1860. It extends the scope of Section 22 to cases of dissuading witnesses in any kind of case. It omits the attempt to dissuade witnesses as attempt is provided for by a general section on attempts.

SECTION 25 is new. It is intended to provide against a not uncommon method of obstructing public justice.

SECTION 26 replaces Section 1, Act of 1870, February 24, P. L. 34, and Section 3, Act 1893, May 18, P. L. 102. It is broader than these acts and includes the secreting of a witness in any case. The penalties in existing acts covering the same subject-matter are different.

SECTION 27 replaces Section 12 and the first part of Section 17 of the Code of 1860. It extends Section 12 to cover cases of soliciting as well as receiving extortionate fees and agreements for such fees. It also

extends the provisions of existing law to cover officers of municipalities. The penalty as to the fine is reduced from \$1000 to \$500 and disqualification to hold office is added.

SECTION 28, with a new section on attempt, replaces Section 13 of the Code of 1860. It broadens said section to include judges, magistrates, masters, arbitrators, referees, commissioners, appraisers, assessors and others, and includes matters about to be brought and persons drawn and summoned as jurors.

SECTION 29 replaces part of Section 48 of the Code of 1860. It extends Section 48 to cover bribes to witnesses, magistrates, councilmen, commissioners, masters and others. It simplifies Section 48 by using the word "bribe" which is defined once for all in the definitions so as to make uniform all sections on bribery. The penalty is increased to five years' imprisonment and \$2000 fine.

SECTION 30 replaces that part of Section 48 of the Code of 1860, not replaced by Section 30 of the proposed act, and extends the provisions of the Code of 1860 to include magistrates, commissioners, masters and others mentioned. The penalty is increased to seven years and \$3000.

SECTION 31 is a re-enactment with verbal changes of Section 49 of the Code of 1860.

SECTION 32 replaces part of Section 51 of the Act of 1834, April 15, P. L. 537; Section 1, Act 1840,

April 3, P. L. 714; Section 2, Act 1849, January 26, P. L. 21; Section 14, Code of 1860; part of Section 3, Act 1864, April 19, P. L. 480; Section 3, Act 1866, March 30, P. L. 89; Section 3, Act 1889, June 1, P. L. 420; part of Section 4, Act 1891, June 9, P. L. 257; Section 4, Act 1917, June 28, P. L. 645; Section 3, Act 1919, June 30, P. L. 542; so much of Section 3, Act 1919, June 30, P. L. 678, as provides fine and imprisonment, and part of Section 11, Act 1919, June 30, P. L. 678. It simplifies Section 14 of the Code of 1860 and provides specifically that certain false statements shall be perjury. It omits subornation of perjury since subornation makes the offender an accessory or a principal in the second degree, and these are provided for elsewhere in this act. The penalties in the various acts are different.

SECTION 33 replaces Section 15 of the Code of 1860 and the penal part of Section 15 of the Act of 1919, June 3, P. L. 366. It extends the provisions of Section 15 of the Code of 1860 to cover any record filed or deposited in a public office or with any public officer either of the Commonwealth or of any subdivision thereof and makes the penalty as to officers the forfeiture of their office and disqualification to hold office. The penalty is the same as that in the Code of 1860.

SECTION 34 replaces Section 3 of the Act of 1804, April 3, 4 Sm. L. 192. The changes are verbal and the penalty is increased to one year's imprisonment and a fine of \$500.

SECTION 35 replaces Section 16 of the Code of 1860. The fine is increased from \$500 to \$3000.

SECTION 36 is new. A similar provision is found in the codes of other states.

SECTION 37 replaces Section 2 of the Act of 1893, May 29, P. L. 174, and Section 1 of the Act of 1897, May 5, P. L. 39. The penalties are different in these different acts.

### TITLE III.—OFFENSES AGAINST THE PUBLIC PEACE.

SECTION 38 replaces Section 19 of the Code of 1860. It makes verbal changes in Section 19 and omits a part of Section 19 on aggravated riot. The penalty is increased from \$500 to \$1000.

SECTION 39 is new.

SECTION 40 replaces Section 20 of the Code of 1860. It broadens Section 20 to cover cases of destruction of all kinds of property. The penalty is reduced from 7 to 5 years and a fine of \$2000 is added. The offense is also made a felony.

SECTION 41 replaces Sections 21 and 22 of the Code of 1860. It combines these two sections and simplifies the verbiage. The new wording of the section makes unnecessary the proviso contained in Section 22 of the Code of 1860.

SECTION 42 replaces Section 31 of the Code of 1860, adding parade and procession. The penalty is increased to one year's imprisonment and \$500 fine.

SECTION 43 replaces Section 1 of the Act of 1901, May 2, P. L. 132, and Section 1, Act of 1901, May 21, P. L. 286, and Act of 1913, May 19, P. L. 223.

SECTION 44 replaces the Act of 1903, April 15, P. L. 98. It omits the minimum penalty and the provisions for a second offense and for costs provided for in the Act of 1903.

SECTION 45 re-enacts Section 1 of the Act of 1917, July 11, P. L. 817, with verbal changes. The penalty is increased from \$50 to \$100, and the minimum penalty is omitted. Summary conviction is provided for.

SECTION 46 replaces Section 24 of the Code of 1860. The new section by requiring the publication to be malicious obviates the necessity for the proviso in the old section; it omits "writes and prints" of the old section, as merely to write or print without publication should not be an offense. It extends the offense to libels which tend to injure a person in his business. The penalty is reduced from \$1000 to \$500.

SECTION 47 replaces Section 1 of the Act of 1893, June 3, P. L. 273. It omits the requirements of actual publication. The penalty is reduced from two years to one year to correspond with Section 48.

SECTION 48 is a re-enactment of the penal part of Section 4, Act of 1901, April 11. P. L. 74.

SECTION 49 replaces Section 1 of the Act of 1897, May 25. P. L. 85. The changes are verbal.

SECTION 50 replaces Section 1 Act of 1895, June 26, P. L. 389. It adds election, to nomination and makes other verbal changes. The penalty is increased from six months to one year and from \$100 to \$500.

SECTION 51 re-enacts Section 1, Act of 1909, April 23, P. L. 171. The penalty as to the fine is reduced from \$5000 to \$2000.

SECTION 52 replaces Section 25 of the Code of 1860 with verbal changes. The penalty is increased from \$500 to \$1000.

SECTION 53 replaces Section 27 of the Code of 1860 with verbal changes. The fine is increased from \$50 to \$500.

SECTION 54 replaces Section 1, Act of 1875, March 18, P. L. 33. It makes the carrying of certain deadly weapons a misdemeanor, if concealed, without intent to injure; and the carrying of certain other weapons with intent to injure, a misdemeanor, whether concealed or not. It provides for destruction of weapon on conviction.

SECTION 55 is new.



TITLE IV.—OFFENSES AGAINST PUBLIC  
MORALS AND DECENCY.

SECTION 56 replaces Section 32, Code of 1860; Section 1, Act of 1879, June 11, P. L. 148, and Sections 1 and 2, Act of 1917, July 16, P. L. 1000; Section 2 of the last named Act and Section 33, Code of 1860, are replaced by the sections on Attempt and Solicitation. The fine is increased from \$1000 to \$5000.

SECTION 57 replaces Sections 1 and 2 of the Act of 1903, March 27, P. L. 102, which repeals Section 34 of the Code of 1860. The changes are verbal, except that the proviso of the new section requires prosecution within five years and provides for a certificate of nullity.

SECTION 58 re-enacts Section 3, Act of 1903, March 27, P. L. 102. It increases the fine from \$500 to \$1000 and makes the limitation of prosecution the same as in bigamy.

SECTION 59 is new.

SECTION 60 amends Section 36, Code of 1860, to include the unmarried person, and to require knowledge on the part of the accused of the non-existence of the marriage relation between them.

SECTION 61 re-enacts Section 37 of the Code of 1860 with verbal changes.



SECTION 62 replaces Section 39 of the Code of 1860. The changes are verbal only, except that the proposed section requires knowledge of the relationship. The penalty is increased from three years to five years and a fine of \$2000 is provided for.

SECTIONS 63, 64 and 65 replace Section 40 of the Code of 1860; Section 2, Act of 1870, March 16, P. L. 39; Sections 1 and 2, Act of 1887, May 6, P. L. 84; Sections 1 and 2, Act of 1897, May 12, P. L. 63. These new provisions embrace all the matter covered by these acts. They are a transcript of the Act of 1897, May 12, P. L. 63, with additions of matter to cover the provisions of the other acts mentioned above. These acts provide different penalties.

SECTION 66 is a re-enactment of Section 3, Act of 1887, May 6, P. L. 84, with changes, making it broader so as to include the provisions of Section 4 of the same act.

SECTION 67 re-enacts Sections 1, 2 and 3, Act of 1911, April 13, P. L. 64, with verbal changes. The fine is reduced from \$1000 to \$500.

SECTION 68 replaces Section 1, Act of 1870, March 16, P. L. 39; Act of 1919, July 21, P. L. 1084; Act 1921, April 21, P. L. 242. The proviso is new.

SECTION 69 replaces Section 41, Code of 1860. It broadens the said section to cover representation of marriage as well as a promise. It abolishes the age limit and adds a proviso as to subsequent marriage

and lapse of time. It reduces the fine from \$5000 to \$1000.

SECTION 70 is new.

SECTION 71 replaces Section 1, Act of 1885, May 28, P. L. 27. It broadens that section to cover not only the taking, but the receiving, employing or harboring of a female. It makes the offense a felony and increases the fine to \$2000.

SECTION 72 re-enacts Section 42, Code of 1860. It broadens this section to embrace landlords, lessors, tenants, occupiers, and persons in control.

SECTION 73 re-enacts Section 43, Code of 1860, and broadens said section to cover the persons mentioned under Section 72 above.

SECTION 74 re-enacts Sections 1 and 2 of the Act of 1923, June 30, P. L. 982.

SECTIONS 75, 76, 77, 78 and 79 are a re-enactment of the Act of 1911, June 7, P. L. 698, with verbal changes and a proviso that the accused shall not be convicted in more than one county. The fine is made \$5000.

SECTION 80 re-enacts with verbal changes Sections 1 and 2 of the Act of 1907, May 29, P. L. 318, and the Act of 1909, March 24, P. L. 59. The penalty is the same as provided in the Act of 1907.

SECTION 81 re-enacts the first part of Section 1 of the Act of 1905, April 18, P. L. 202. The latter part of the said section is covered by Section 76 of the proposed act.

SECTION 82 re-enacts Section 44 of the Code of 1860 with verbal changes. The fine provided in Section 44 of the Code of 1860 is increased from \$100 to \$500.

SECTION 83 re-enacts Section 1 of the Act of 1895, June 25, P. L. 291. It broadens the Act of 1895 to cover such exhibition in any place.

SECTION 84 replaces part of Section 47 of the Code of 1860; Section 5 of the Act of 1883, June 13, P. L. 119, and the Act of 1911, May 5, P. L. 176. It broadens these existing laws to include the removal of a dead body from any place of burial or while awaiting burial. It omits sending body out of the State as provided for in the Act of 1883, *supra*. Existing acts provide various punishments.

## TITLE V.—OFFENSES AGAINST PUBLIC POLICY, ECONOMY AND HEALTH.

SECTION 85 re-enacts with verbal changes Section 52 of the Code of 1860.

SECTION 86 re-enacts Section 53 of the Code of 1860 and broadens that section to cover allowing premises to be used for a lottery. The fine provided in Section 53 of the Code of 1860 is reduced from \$1000 to \$500.

SECTION 87 re-enacts the provisions of Section 1 of the Act of 1883, June 13, P. L. 90. The penalty is reduced from two years' imprisonment and \$1000 fine to one year's imprisonment and \$500 fine. It omits the portion dealing with the sufficiency of the indictment.

SECTION 88 re-enacts Section 55 and part of Section 56 of the Code of 1860.

SECTION 89 re-enacts that part of Section 56 of the Code of 1860 not covered by Section 88 of the proposed act. The penalty is reduced from five years' imprisonment to one year.

SECTION 90 substantially re-enacts Section 57 of the Code of 1860 with verbal changes. It adds to the penalty of the fine provided in Section 57, imprisonment for one year.

SECTION 91 re-enacts Section 58 of the Code of 1860.

SECTION 92 re-enacts Sections 59, 60 and 61 of the Code of 1860 omitting the proviso for the certificate of the Judge.

SECTION 93 re-enacts the Act of 1895, May 22, P. L. 99, with verbal changes.

SECTIONS 94, 95, 96 and 97 re-enact the Act of 1885, June 10, P. L. 81. They extend the provisions of that act to cover preparations of opium.

SECTION 98 re-enacts Section 1 of the Act of 1867, March 22, P. L. 39, with verbal changes.

SECTION 99 re-enacts Section 24 of the Act of 1923, June 14, P. L. 710. It reduces the penalty to conform to other gambling.

SECTION 100 re-enacts the Act of 1903, April 11, P. L. 166, with verbal changes. It reduces the penalty in the Act of 1903 from two years' imprisonment and \$1000 fine to one year's imprisonment and \$500 fine.

SECTIONS 101 and 102 re-enact Sections 1, 2, 3, 4 and 5 of the Act of 1879, April 30, P. L. 33, with the omission of the proviso contained in the Act of 1879, and with verbal changes to prevent conflict with other sections.

SECTION 103 re-enacts Section 62 of the Code of 1860 with verbal changes. It makes the crime a felony instead of a misdemeanor and adds a fine of \$2000.

SECTION 104 re-enacts Section 63 of the Code of 1860 with verbal changes. It increases the penalty from one year's imprisonment and \$1000 fine to five years' imprisonment and \$2000 fine, and makes the offense a felony instead of a misdemeanor.

SECTION 105 re-enacts Sections 1 and 2 of the Act of 1909, May 11, P. L. 519, with verbal changes. It decreases the fine from \$5000 to \$1000.

SECTION 106 re-enacts Section 1 of the Act of 1857, May 16, P. L. 535, and extends its provisions to all officers of the State, city, etc. It omits the proviso contained in the Act of 1857 and makes the fine \$500.

SECTION 107 re-enacts Section 14 of the Act of 1889, May 23, P. L. 277, and extends its provisions to all public officers. It changes the penalty from a fine of \$1000 to imprisonment for one year and a fine of \$500.

SECTION 108 re-enacts Section 1 of the Act of 1874, April 20, P. L. 65 with verbal changes. It reduces the fine provided for in that act from \$10,000 to \$500.

SECTION 109 re-enacts part of Section 2 of the Act of 1874, April 20, P. L. 65, with verbal changes.

SECTION 110 re-enacts Section 12 of the Act of 1874, May 23, P. L. 230, and Section 11 of Article IV of the Act of 1889, May 23, P. L. 277, and extends the provisions of these sections to all public officers. It reduces the fine from \$1000 to \$500.

SECTION 111 re-enacts Section 43 of the Act of 1834, April 15, P. L. 537; Section 17 of the Act of 1862, April 11, P. L. 471; Section 1 of the Act of 1903, April 23, P. L. 285, and so much of Section 66 of the Code of 1860 as relates to public officers engaging in contracts. It enlarges the scope of the present law. Various penalties are provided in the above acts.

SECTION 112 re-enacts Section 64 of the Code of 1860 and Section 18 of the Act of 1876, May 13, P. L. 161, with verbal changes. Imprisonment is added to the existing law.



SECTION 113 re-enacts Article IV, Section 12 of the Act of 1889, May 23, P. L. 277, and part of Section 66 of the Code of 1860 relating to municipal officers becoming sureties for each other and extends existing provisions to all officers of the Commonwealth. A penalty of one year's imprisonment is added to the existing penalties. Forfeiture of office provided for in the Act of 1889 but not in the Code of 1860 is omitted.

SECTION 114 replaces Section 3 of the Act of 1883, June 4, P. L. 72, and extends the provisions of this act to all public service companies. The penalty is reduced to one year's imprisonment and \$500 fine to correspond with Section 110 of the proposed act.

SECTION 115 re-enacts Section 68 of the Code of 1860 with verbal changes. The penalty in the Code of 1860 is increased as to imprisonment from six months to one year and reduced as to fine from \$1000 to \$500.

SECTION 116 re-enacts Section 3 of the Act of 1874, April 22, P. L. 108, with verbal changes. It increases the penalty from 30 days to one year's imprisonment, and reduces the fine from \$1000 to \$500.

SECTION 117 re-enacts the Act of 1901, June 20, P. L. 585, except as to the second offense. The fine is increased from \$300 to \$500.

SECTION 118 re-enacts Sections 1 and 2 of the Act of 1866, April 12, P. L. 101, with verbal changes.



It increases the penalty provided in that act from six months' imprisonment to one year's imprisonment.

SECTION 119 re-enacts the Act of 1919, July 17, P. L. 1031, with verbal changes. The penalty as to fine is unchanged, but one year's imprisonment is added.

SECTION 120 re-enacts Section 5 of the Act of 1919, July 21, P. L. 1069, with verbal changes. It reduces the fine from \$1000 to \$500 and adds imprisonment for one year.

SECTION 121 re-enacts Sections 1 and 2 of the Act of 1878, May 23, P. L. 117, with verbal changes. It increases the penalty from \$20 to \$500 fine and adds imprisonment for one year.

SECTION 122 re-enacts the Act of 1895, June 24, P. L. 231, and Section 1 of the Act of 1895, June 24, P. L. 244, with verbal changes. It increases the penalty provided in these acts from imprisonment for sixty days and a fine of \$50 to imprisonment for one year and a fine of \$500.

SECTION 123 re-enacts Section 71 of the Code of 1860, with verbal changes. It increases the fine from \$300 to \$500.

SECTION 124 re-enacts Section 1 of the Act of 1911, May 11, P. L. 274.

SECTION 125 combines Section 1 of the Act of 1895, June 24, P. L. 265, and Section 3 of the Act of 1911, May 11, P. L. 274. The penalties are different in these two acts.

SECTION 126 combines the Act of 1901, July 10, P. L. 638, and the Act of 1905, March 16, P. L. 43, and the Act of 1921, May 17, P. L. 911. It adds snuff to the other articles mentioned in these acts, and makes the age twenty-one years in all cases. The penalties are different in these two acts. It provides for summary conviction.

SECTION 127 replaces part of Section 1 of the Act of 1881, June 10, P. L. 111, not repealed by inference by the Act of 1885, June 11, P. L. 111, which latter is repealed by Section 128 of the proposed act. The proposed section omits the terms "knowingly and wilfully" used in these acts, and increases the age from sixteen years as provided in the Act of 1861 to twenty-one years.

SECTION 128 combines and re-enacts the Act of 1885, June 10, P. L. 111; the Act of 1901, June 19, P. L. 577; the Act of 1905, March 24, P. L. 49; Sections 1 and 2 of the Act of 1911, June 1, P. L. 542, and Sections 1 to 6, inclusive, of the Act of 1911, June 1, P. L. 554. It adds to the sale, manufacture, etc., the having in possession with intent to sell, and the giving away. The penalty is different in the different acts.

SECTION 129 re-enacts Sections 1 and 2 of the Act of 1915, May 6, P. L. 260. It qualifies the "having in possession" provided by that act with the phrase "with intent to sell." The penalty is made the same as the corresponding offense in Section 128 of the proposed act.

SECTION 130 re-enacts Section 2 of the Act of 1885, May 28, P. L. 27; Sections 1 and 3 of the Act 1909 April 27, P. L. 211, and Section 1 of the Act of 1911, June 9, P. L. 854, with verbal changes.

SECTION 131 leaves in effect existing laws governing confinement of persons of unsound mind, and provides one penalty for the violation of such laws and adds a provision against cruel treatment of such persons.

SECTION 132 re-enacts Section 1 of the Act of 1905, April 18, P. L. 213. It changes the words "infant children" to "human beings." The penalty as to the fine is increased from \$1000 to \$2000 and the offense is made a felony.

SECTION 133 re-enacts Section 1 of the Act of 1917, July 17, P. L. 1037.

SECTION 134 re-enacts Section 1 of the Act of 1874, May 15, P. L. 179. It broadens the Act of 1874 by adding "trains" and "exhibits" and increases the fine from \$250 to \$500.

SECTION 135 re-enacts Section 72 of the Code of 1860 and the Act of 1901, July 10, P. L. 651, and broadens said act to cover cases of altering, suppressing, adding to and unreasonably delaying the delivery of messages. It omits the reference to the Federal laws contained in the Act of 1901. It increases the penalty from six months' imprisonment to one year's imprisonment and the fine from "not less than \$100" to not more than \$500.

**SECTION 136** re-enacts Section 32 of the Act of 1917, June 22, P. L. 628, with verbal changes. The fine is increased from \$300 to \$500.

**SECTION 137** re-enacts Section 2 of the Act of 1867, March 22, P. L. 32; Section 1 of the Act of 1887, May 19, P. L. 130, and the Act of 1911, May 5, P. L. 125. It broadens these statutes to cover ejecting from theatres, etc. The penalty is the same as that provided in the Act of 1911.

**SECTION 138** re-enacts Sections 1 and 2 of the Act of 1895, July 2, P. L. 430, with verbal changes. The minimum penalty in the Act of 1895 is made the maximum penalty.

**SECTION 139** re-enacts Section 73 of the Code of 1860, with verbal changes. The penalty is changed from a discretionary one to imprisonment for one year and a fine of \$500.

**SECTION 140** re-enacts Sections 1, 2 and 3 of the Act of 1901, May 2, P. L. 111, and Sections 1 and 2 of the Act of 1907, May 8, P. L. 181. It broadens these acts to include any chemical compound and restricts the provisions of these acts to such distribution as enables a child to get possession of the articles. The penalty is different in the two acts.

**SECTION 141** re-enacts Section 1 of the Act of 1905, April 20, P. L. 226. It adds glass to the articles enumerated in the act.

SECTION 142 replaces Section 1 of the Act of 1878, May 23, P. L. 102, broadening that act to cover any high explosive. The penalty is increased from three months' imprisonment to one year's imprisonment.

SECTION 143 replaces Section 2 of the Act of 1878, May 23, P. L. 102, with verbal changes.

SECTION 144 replaces Section 1 of the Act of 1874, May 6, P. L. 121, with verbal changes. The penalty is increased from a minimum imprisonment of thirty days and a fine of \$100, to a maximum of one year's imprisonment and \$500 fine.

SECTION 145 re-enacts Section 2 of the Act of 1879, May 13, P. L. 60, with verbal changes.

SECTION 146 replaces Sections 1 and 2 of the Act of 1917, May 24, P. L. 295. The minimum penalty provided for in that act is eliminated.

SECTION 147 is new.

SECTION 148 replaces Section 4 of the Act of 1854, May 8, P. L. 663. It broadens said act to include cases of marrying idiots, lunatics, insane persons, persons under the age of consent and under legal impediment, and requires in all cases belief as to such condition. The penalty is increased from two months' imprisonment and \$50 fine to one year's imprisonment and \$500 fine.

SECTION 149 re-enacts Sections 1 and 2 of the Act of 1883, June 13, P. L. 96, and the Act of 1897, July 15, P. L. 275, with verbal changes. The penalties are different in the two acts.

SECTION 150 re-enacts the Act of 1911, June 9, P. L. 746. It broadens said act to include agents, as well as officers and employees. The penalty is increased from \$300 to \$500 fine and the minimum penalty is eliminated as in all other cases.

SECTIONS 151 and 152 re-enact the Act of 1923, June 29, P. L. 977.

SECTION 153 re-enacts part of Section 1 of the Act of 1865, February 28, P. L. 238, relating to the giving of an alarm of fire, and the Act of 1895, May 22, P. L. 112, and part of the Act of 1921, April 13, P. L. 140. The fine is increased from \$500 to \$1000.

SECTION 154 re-enacts the Act of 1923, April 26, P. L. 97.

SECTION 155 re-enacts Sections 1 and 3 of the Act of 1893, May 29, P. L. 174, with verbal changes.

SECTION 156 re-enacts Sections 1 and 2 of the Act of 1885, April 30, P. L. 13. It broadens said act to cover the papers of ex-soldiers and officers. The fine is decreased from \$500 to \$100.

SECTION 157 re-enacts Section 13 of the Act of 1923, May 16, P. L. 236.



SECTION 158 re-enacts Section 1 of the Act of 1877, March 22, P. L. 14. It broadens said section to cover combinations to maintain as well as to bring about a strike. The fine is reduced from \$500 to \$200 and the minimum penalty is eliminated.

SECTION 159 re-enacts Section 3 of the Act of 1877, March 22, P. L. 14, with verbal changes. The fine is reduced from \$500 to \$200 and the minimum penalty is eliminated.

SECTION 160 re-enacts Section 3 of the Act of 1877, March 22, P. L. 14, with verbal changes. The fine is reduced from \$500 to \$200 and the minimum penalty eliminated.

SECTION 161 re-enacts Sections 2 and 3 of the Act of 1863, May 6, P. L. 582, with verbal changes.

SECTION 162 provides for the illegal practice of medicine, osteopathy, dentistry and architecture, and other professions. The present law is found in the Act of 1893, May 8, P. L. 94, the Act of 1907, May 7, P. L. 161, and the Act of 1919, July 12, P. L. 933, and the Act of 1921, May 5, P. L. 399. The penalties are different in the different acts.

SECTION 163 re-enacts Section 1 of the Act of 1871, May 19, P. L. 271, with verbal changes. Imprisonment is increased from six months to one year.

SECTION 164 in its present form is new. It is a general provision to cover false statements where



no formal oath is taken. Special provisions which it will embrace are found in many acts.

SECTION 165 re-enacts the penal provisions against the illegal transaction of insurance found in the Act of 1870, February 4, P. L. 14; Act of 1876, May 1, P. L. 53; Act of 1883, June 5, P. L. 80; Act of 1899, May 8, P. L. 258, and Act of 1907, June 7, P. L. 434. The penalties are different in the different acts.

SECTION 166 re-enacts Act of 1921, May 5, P. L. 350. It reduces the fine from \$1000 to \$500.

SECTION 167 replaces Sections 1 and 2 of the Act of 1893, May 10, P. L. 38. The penalty, which is different in the two sections of the said act, is made uniform.

SECTION 168 re-enacts Section 4 of the Act of 1919, July 17, P. L. 1003, with verbal changes.

SECTION 169 re-enacts Section 1 of the Act of 1887, May 23, P. L. 173, with verbal changes.

SECTION 170 re-enacts Section 3 of the Act of 1917, June 28, P. L. 645, with verbal changes.

SECTION 171 re-enacts the Act of 1921, April 13, P. L. 140. It abolishes the minimum fine and reduces the maximum penalty from \$5000 and five years' imprisonment to \$1000 and three years' imprisonment.

## TITLE VI.—OFFENSES AGAINST THE PERSON.

SECTION 172 re-enacts Section 74 of the Code of 1860, broadening said section to cover death by train wrecking as provided for in the Act of 1913, May 9, P. L. 186; and death in kidnapping, provided for in the Act of 1923, May 22, P. L. 306.

SECTION 173 re-enacts Section 75 of the Code of 1860, changing death by hanging to death by electrocution as provided for in Section 1, Act of 1913, June 19, P. L. 528. It provides that a record of the trial be sent to the Board of Pardons.

SECTION 174 re-enacts Section 1 of the Act of 1893, April 14, P. L. 17, with verbal changes. A fine is added.

SECTION 175 re-enacts Section 77, Code of 1860, with verbal changes.

SECTION 176 re-enacts part of Section 6 and Section 8 of the Act of 1923, May 19, P. L. 283.

SECTION 177 re-enacts Section 78 of the Code of 1860. It eliminates the provision for security. It makes the crime a felony instead of a misdemeanor, and increases the fine from \$1000 to \$6000.

SECTION 178 re-enacts Section 79 of the Code of 1860. It eliminates the provision as to waiving the felony and as to security.

SECTION 179 is new. It abrogates the rule that in cases of homicide there can be no conviction unless the victim dies within a year and a day of the act or omission which caused his death.

SECTION 180 replaces so much of Sections 80, 84 and 98 of the Code of 1860 as relates to batteries. Assaults with intent are covered by Section 182 and the section on attempt in the proposed act. The penalty as to imprisonment is the same as in Section 80 of the Code of 1860. The fine is increased from \$1000 to \$2000.

SECTION 181 replaces part of Sections 80 and 98 of the Code of 1860, not replaced by Section 180 of the proposed act and the section of the proposed act on attempt; and Section 97 of the Code of 1860, Section 28, Act of 1818, January 29, 7 Sm. L., and part of Section 1, Act of 1865, March 25, P. L. 30; Section 9 of the Act of 1870, April 6, P. L. 53; and standardizes the penalties, which are different in the different acts.

SECTION 182 re-enacts Section 82 of the Code of 1860. It increases the fine from \$1000 to \$3000.

SECTION 183 re-enacts Section 1 of the Act of 1876, May 8, P. L. 146, with verbal changes. The fine is reduced from \$1000 to \$500.

SECTION 184 re-enacts Section 86 of the Code of 1860; part of Section 1 of the Act of 1876, May 8, P. L. 139, and Section 1 of the Act of 1901, April

24, P. L. 102, with verbal changes. The penalties are different in the different acts.

SECTION 185 is new. The Code of 1860 does not provide for the crime of abortion, though it does, in Section 88, provide for an attempt to commit this offense.

SECTION 186 re-enacts Section 87 of the Code of 1860. It increases the penalty from seven years' imprisonment and \$500 fine, to 10 years' imprisonment and \$6000 fine.

SECTION 187 re-enacts Section 88 of the Code of 1860 and specifically provides for attempts on a woman believed to be but not pregnant.

SECTION 188 re-enacts Section 89 of the Code of 1860 and broadens said section to cover any person concealing the birth of any child.

SECTION 189 re-enacts Section 45 of the Code of 1860 and part of Section 1 of the Act of 1879, June 11, P. L. 142, with verbal changes. The penalty is increased from twelve months' imprisonment and \$100 fine to three years' imprisonment and \$1000 fine.

SECTION 190 re-enacts and combines Section 90 of the Code of 1860 and Sections 1 and 3 of the Act of 1907, May 29, P. L. 318. The penalty is the same as provided in the Act of 1907.

SECTION 191 re-enacts part of the Act of 1919, July 12, P. L. 939, and adds a provision against a

child for non-support of its parent as provided for in the Act of 1917, May 24, P. L. 268. The fine is increased from \$100 to \$500.

SECTION 192 re-enacts Section 1 of the Act of 1917, July 11, P. L. 774. The provision as to imprisonment in the said act is increased from six months to one year.

SECTION 193 replaces Sections 91 and 92 of the Code of 1860 and the Act of 1887, May 19, P. L. 128. It broadens the acts to cover unlawful carnal knowledge of an idiot, imbecile, drugged or insane person, and unlawful intercourse by personating a husband. It increases the fine from \$1000 to \$7000.

SECTION 194 combines Section 1 of the Act of 1875, February 25, P. L. 4, and the Act of 1901, April 4, P. L. 65. It changes Section 2 of the latter act so as to make an aider and abettor punishable as a principal in the first degree as in all other cases. It also punishes as a principal a person who assists by harboring or detaining. The penalty is changed by adding a fine on conviction of the principal in the crime and increasing the fine as to the aider.

SECTION 195 is new. It provides for all cases of kidnapping not covered by Section 194 of the proposed act.

SECTION 196 re-enacts the Act of 1917, May 24, P. L. 303.

**TITLE VII.—OFFENSES AGAINST PERSONAL  
PROPERTY AND FRAUDULENT DEALING  
THEREWITH.**

SECTION 197 re-enacts Section 102 of the Code of 1860 as to robbery only; the larceny from the person is covered by Section 201 of the proposed act; assault with intent to rob is provided for by the section on attempt in the proposed act. The penalty as to imprisonment is increased from five to ten years and as to fine is increased from \$1000 to \$5000.

SECTION 198 re-enacts the Act of 1919, April 18, P. L. 61, as to robbery with a weapon and by two or more persons and when accompanied by a battery. Attempts to so commit are provided for by the section on attempt in the proposed act.

SECTION 199 combines Section 1 of the Act of 1897, May 27, P. L. 111; Act of 1911, June 9, P. L. 833, and Act of 1913, May 19, P. L. 222, except as they provide for accessories and attempt. These as well as Sections 23 and 101 of the Code of 1860, and Section 1 of the Act of 1876, May 8, P. L. 141, are covered by the sections on accessories and attempt in the proposed act. The penalty is made the same as that in the Act of 1913.

SECTION 200, taken in connection with the section of the proposed act on the definition of property and the section on attempt replaces the following acts: Section 7 of the Act of 1820, March 28, 7 Sm. L. 308,



as to embezzlement; part of Section 10 of the Act of 1841, May 27, P. L. 400; Section 20 of the Act of 1850, April 16, P. L. 477; Section 103 of the Code of 1860; Section 104 of the Code of 1860; Section 106 of the Code of 1860; Section 107 of the Code of 1860; Section 108 of the Code of 1860; part of Section 111 of the Code of 1860; Section 112 of the Code of 1860; Section 113 of the Code of 1860; Section 114 of the Code of 1860; part of Section 1 of the Act of 1861, May 1, P. L. 465; part of Section 1 of the Act of 1861, May 1, P. L. 503; part of Section 36 of the Act of 1861, May 1, P. L. 503; Section 1 of the Act of 1862, April 11, P. L. 425; Section 1 of the Act of 1876, May 8, P. L. 136; Section 1 of the Act of 1876, May 8, P. L. 142; Section 19 of the Act of 1876, May 13, P. L. 161; Section 1 of the Act of 1878, June 12, P. L. 196; Section 1 of the Act of 1878, June 17, P. L. 212; Section 1 of the Act of 1883, June 5, P. L. 78; part of Section 9 of the Act of 1883, April 19, P. L. 9; part of Section 1 of the Act of 1885, June 3, P. L. 60; part of Section 1 of the Act of 1885, June 3, P. L. 72; Section 53 of the Act of 1887, April 13, P. L. 23; Section 4 of the Act of 1887, May 24, P. L. 182; Section 19 of the Act of 1887, June 7, P. L. 365, except the part on attempt; Section 6 of the Act of 1889, May 13, P. L. 194; part of Section 1 of the Act of 1909, April 23, P. L. 169; Act of 1917, May 18, P. L. 241; part of Section 1 of the Act of 1917, June 28, P. L. 657; part of Section 1 of the Act of 1919, June 20, P. L. 542; Section 39 of the Act of 1921, P. L. 869.

SECTION 201 re-enacts part of Section 102 of the Code of 1860. The penalty is increased from five

years' imprisonment and \$1000 fine to eight years' imprisonment and \$4000 fine.

SECTION 202 re-enacts Section 65 of the Code of 1860. It limits the provision on failure to deliver possession of property in that section by requiring the intent to steal in such case. The penalty of Section 65 is increased from five years' imprisonment and a fine equal to the amount embezzled, to ten years' imprisonment and a fine of \$5000.

SECTION 203 re-enacts the Act of 1919, June 20, P. L. 542, and extends the provisions of the said act to cover property embezzled and property obtained by false pretense.

SECTION 204 re-enacts Sections 115 and 125 of the Code of 1860. It assimilates the offenses provided against in the said sections of the code to larceny, and makes the penalty the same as that provided for stealing in the proposed act.

SECTION 205 replaces Section 126 of the Code of 1860. It assimilates the offenses provided against in the said section of the code to stealing, and makes the penalty the same as that provided for stealing in the proposed act.

SECTION 206 in its present form is new. It supplies existing acts of larceny by partners.

SECTION 207 replaces Section 123 of the Code of 1860 with verbal changes.

SECTION 208 replaces Section 111 of the Code of 1860.

SECTION 209 re-enacts (and extends) Section 120 of the Code of 1860; the Act of 1909, April 23, P. L. 159, and part of Section 1, Act of 1919, June 20, P. L. 542. The penalties are different in the different acts.

SECTION 210 re-enacts Section 110 of the Code of 1860, and extends its provisions to cover receivers of goods obtained by fraudulent means other than larceny.

SECTION 211 re-enacts the Act of 1923, May 31, P. L. 476.

SECTION 212 re-enacts the Act of 1907, May 8, P. L. 180, and part of Section 1 of the Act of 1909, April 23, P. L. 169, not covered by new Section 200. The penalty is different in the different acts.

SECTION 213 re-enacts Section 117 of the Code of 1860, Section 2 of the Act of 1878, June 12, P. L. 196, omitting the part constituting larceny, and Section 1 of the Act of 1885, June 4, P. L. 74. The penalty is different in the different acts. It is now made uniform.

SECTION 214 re-enacts Section 118 of the Code of 1860 and Section 3 of the Act of 1878, June 12, P. L. 196, and Section 1 of the Act of 1885, June 4, P. L. 74. The penalty is different in the different acts. It is now made uniform.

SECTION 215 re-enacts Section 119 of the Code of 1860 and Section 4 of the Act of 1878, June 12, P. L. 196. The penalty is different in the different acts, and is now made uniform.

SECTION 216 re-enacts Section 1 of the Act of 1881, June 10, P. L. 107; it extends the proviso to all persons and reduces the fine from \$5000 to \$2000.

SECTION 217 re-enacts Section 1 of the Act of 1863, April 22, P. L. 562, and Section 1 of the Act of 1889, May 9, P. L. 145. The penalty is different in the existing acts.

SECTION 218 re-enacts part of Section 1 of the Act of 1885, June 3, P. L. 60, with verbal changes. The penalty is reduced from two years' imprisonment and \$1000 fine to one year's imprisonment and \$500 fine.

SECTION 219 re-enacts Section 1 of the Act of 1881, June 10, P. L. 109, with verbal changes.

SECTION 220 replaces the Act of 1861, May 1, P. L. 465, except the part covered by Section 200 of the proposed act.

SECTION 221 re-enacts the Act of 1919, April 18, P. L. 70. The penalty is made the same for all amounts, the fine increased from \$100 to \$2000.

SECTION 222 replaces the Act of 1897, June 22, P. L. 184. The penalty as to imprisonment has been increased from six months to one year.

SECTION 223 replaces Section 5 of the Act of 1921, May 5, P. L. 382. It increases the penalty from ninety days' imprisonment to one year.

SECTION 224 re-enacts Section 1 of the Act of 1901, June 7, P. L. 492, with verbal changes.

SECTION 225 replaces that part of Section 1 of the Act of 1911, June 8, P. L. 716, not re-enacted by Section 275 of the proposed act, with verbal changes. The penalty is increased from three to six months' imprisonment and from \$100 to \$300 fine.

SECTION 226 replaces Section 1 of the Act of 1895, June 26, P. L. 319. The penalty is changed by increasing the imprisonment from three to six months and by reducing the fine from \$300 to \$200.

SECTION 227 re-enacts Section 2 of the Act of 1872, April 12, P. L. 60, with verbal changes. The penalty is increased from imprisonment for six months to imprisonment for one year.

SECTION 228 replaces the Act of 1861, April 8, P. L. 270. The penalty as to imprisonment is reduced from five years to one year.

SECTION 229 replaces the Act of 1876, April 20, P. L. 45. A fine of two hundred dollars is added.

SECTIONS 230 and 231 re-enact the Act of 1897, June 15, P. L. 163.

SECTION 232 is new.

SECTION 233 is new. It extends the provisions of the Act of 1897, June 15, P. L. 163, to gold mountings.

SECTIONS 234, 235, 236 and 237 re-enact the provisions of the Act of 1897, June 22, P. L. 186. The penalty corresponds to the penalty in Sections 230 to 233, inclusive, of the proposed act.

SECTION 238 re-enacts the Act of 1901, May 29, P. L. 335, with verbal changes. The fine is reduced from \$500 to \$100.

SECTION 239 re-enacts Section 1 of the Act of 1899, May 5, P. L. 247, with verbal changes.

SECTION 240 re-enacts the Act of 1917, May 17, P. L. 221, with verbal changes. The penalty is increased from one month's imprisonment and \$25 fine to three months' imprisonment and \$100 fine. Summary conviction is provided for.

SECTION 241 re-enacts Sections 3 and 5 of the Act of 1889, May 4, P. L. 84, with verbal changes. The penalty is increased from thirty days' imprisonment and \$100 fine to three months' imprisonment and \$100 fine. Summary conviction is provided for.

SECTION 242 re-enacts Section 1 of the Act of 1870, April 9, P. L. 1068, and Sections 1, 2 and 3 of the Act of 1889, May 8, P. L. 131, with verbal changes.



The fine is reduced from \$500 as provided in the Act of 1889 to \$200. and the imprisonment from six months to three months. Summary conviction is provided for.

SECTION 243 re-enacts Section 1 of the Act of 1887, May 19, P. L. 130, with verbal changes. It omits the bare giving of false pedigree and reduces the fine from \$1000 to \$500.

SECTION 244 re-enacts Sections 1 and 2 of the Act of 1893, June 6, P. L. 344, and broadens them to include any kind of horse race. It reduces the penalty from \$500 to \$200.

SECTION 245 re-enacts the Act of 1913, June 5, P. L. 419, and broadens it to include all property. The fine is reduced from \$300 to \$100.

SECTION 246 is new.

SECTION 247 re-enacts Section 129 of the Code of 1860. with verbal changes, and increases the fine from \$500 to \$1000.

SECTION 248 re-enacts Section 134 of the Code of 1860; the Act of 1897, June 23, P. L. 193, and Section 1 of the Act of 1903, April 22, P. L. 242. It standardizes the penalty in these different acts.

SECTION 249 re-enacts and combines Section 1 of the Act of 1895, June 25, P. L. 289; Section 1 of the Act of 1897, June 10, P. L. 139; Act of 1903, March 5, P. L. 14, and Section 1 of the Act of 1903, March

27, P. L. 106, with verbal changes. It standardizes the different penalties in the various acts.

SECTION 250 re-enacts the Act of 1923, May 9, P. L. 175.

SECTION 251 re-enacts the Act of 1923, June 28, P. L. 885. The fine is reduced from \$1000 to \$500. It omits the provision for larceny, as it is covered by the general section on larceny.

SECTION 252 re-enacts the Act of 1907, March 28, P. L. 37, with verbal changes. It reduces the penalty from three to two years' imprisonment.

## TITLE VIII.—OFFENSES AGAINST REAL PROPERTY AND MALICIOUS MISCHIEF.

SECTION 253 is a consolidation of Section 135 of the Code of 1860 and Section 1 of the Act of 1905, April 22, P. L. 279, and includes in burglary the offense provided against in the Act of 1905.

SECTION 254 re-enacts and combines Section 136 of the Code of 1860; Section 2 of the Act of 1863, April 22, P. L. 531; Section 1 of the Act of 1887, May 23, P. L. 177, and the Act of 1901, March 13, P. L. 50, and standardizes the penalty in these various acts.

SECTION 255 replaces Section 1 of the Act of 1895, June 25, P. L. 290, broadening the provisions of that act by including the intent to commit any felony.

SECTION 256 re-enacts Section 1 of the Act of 1905, March 14, P. L. 38. It broadens this act to include the making or mending of burglars' tools and includes the use of such tools in any offense. The fine is increased from \$500 to \$2000.

SECTION 257 provides for the burning of buildings, etc., included in Section 138 of the Code of 1860, and adds motor vehicles thereto.

SECTION 258 re-enacts that part of Section 137 of the Code of 1860 relating to arson and provides that the offense created by the remainder of Section 137 shall constitute arson also if the accused has knowledge of the presence of a human being in the house. It adopts for both offenses the heaviest penalty of imprisonment provided in Section 137, and increases the fine from \$4000 to \$10,000.

SECTION 259 combines Section 3 of the Act of 1887, June 1, P. L. 287, part of Section 2 of the Act of 1901, February 25, P. L. 11, and Section 1 of the Act of 1911, June 9, P. L. 861. It standardizes the penalties of these various acts.

SECTION 260 re-enacts Section 139 of the Code of 1860, with verbal changes, and adds the burning of other property. It increases the fine from \$1000 to \$3000, and replaces part of the Act of 1919, July 7, P. L. 722, changing the penalty.

SECTION 261 re-enacts Section 1 of the Act of 1881, June 10, P. L. 117, and adds a new provision

which does away with the exemption of an offender who was husband or wife of the owner of the property.

SECTION 262 is new.

SECTION 263 re-enacts Section 3 of the Act of 1849, April 7, P. L. 461; Section 2 of the Act of 1899, April 28, P. L. 78, and broadens them to cover injury, etc., to public roads, etc. The penalty is different in the different acts.

SECTION 264 re-enacts Section 144 of the Code of 1860 with verbal changes. It increases the fine from \$100 to \$1000.

SECTION 265 replaces Section 145 of the Code of 1860, adding "maliciously," and changing "wilfully" to "wantonly" throughout, and makes verbal changes. The penalty is increased from \$100 to \$300.

SECTION 266 re-enacts Section 146 and part of Section 147 of the Code of 1860, changing "unlawfully and maliciously" to "wantonly or maliciously." It omits "danger of overflowing."

SECTION 267 re-enacts Section 150 of the Code of 1860, and broadens it to cover any wilful and unlawful injury. It changes the words "unlawfully and maliciously" to "wilfully and unlawfully."

SECTION 268 re-enacts Section 18 of the Act of 1885, May 29, P. L. 29, part of Section 1, Act of 1917, July 6, P. L. 748 (not replaced by Section 271 of the proposed Act) and Section 34 of the Act of 1874, April 29, P. L. 93.

SECTION 269 re-enacts Sections 1 and 2 of the Act of 1883, June 13, P. L. 95, increasing the penalty from \$50 fine to \$300 fine and six months' imprisonment.

SECTION 270 re-enacts Section 1 of the Act of 1879, May 13, P. L. 60, and part of Section 147 of the Code of 1860, with verbal changes.

SECTION 271 combines the Act of 1913, May 9, P. L. 186 (which supplied the Act of 1911, June 1, P. L. 553; which supplied the Act of 1891, May 26, P. L. 121, which act supplied Sections 142 and 143 of the Code of 1860), with the Act of 1911, June 1, P. L. 557. The proposed section broadens the provisions of these several acts to include "injure" as well as "displace"; bridge, viaduct and culvert are added to rail and sleeper; injury to engine, tender, etc., is added; "firing into" is added to "throwing," and electric railroads are included. It standardizes the penalty in these various acts.

SECTION 272 re-enacts Section 4 of the Act of 1877, March 22, P. L. 14, and makes general the provisions of that section.

SECTION 273 re-enacts part of Section 147 of the Code of 1860, relating to railroads.

SECTION 274 re-enacts and extends part of Section 147 of the Code of 1860, relating to telegraphs and telephones.

SECTION 275 re-enacts Sections 1, 2 and 3 of the Act of 1895, June 25, P. L. 302, and part of Section 1 of the Act of 1911, June 8, P. L. 716, and part of Section 1 of the Act of 1917, July 6, P. L. 748.



SECTION 276 re-enacts Section 148 of the Code of 1860 and part of Section 147 of the Code dealing with fixtures. It changes "wilfully and maliciously" to "wantonly or maliciously." and adds defacing of building.

SECTION 277 re-enacts and covers the following: Sections 149 and 153 of the Code of 1860; Section 152 of the Code of 1860 (except as to buyer of property); Section 1 of the Act of 1911, June 7, P. L. 679 (excepting the words "climb upon"); Section 2 of the Act of 1911, June 9, P. L. 861 (excepting the word "negligently"); Section 4 of the Act of 1911, June 9, P. L. 861 (excepting the word "negligently" and the provision for damages and for retaking); part of Section 3 of the Act of 1887, June 1, P. L. 287 (as to injury to trees); Section 1 of the Act of 1895, June 18, P. L. 196 (except entering or breaking down or through fields, etc.); Section 1 of the Act of 1824, March 27, P. L. 99; part of the Act of 1879, May 19, P. L. 64 (except as to trespassers); part of Section 2 of the Act of 1901, February 25, P. L. 11 (damages to trees of State); Sections 2 and 3 of the Act of 1911, May 5, P. L. 163; Section 3 of the Act of 1921, May 5, P. L. 420; and Section 3 of the Act of 1921, May 10, P. L. 430. It standardizes the penalties in these various acts.

SECTION 278 re-enacts Section 151 of the Code of 1860, changing "wilfully and maliciously" to "wilfully and unlawfully." The fine is increased from \$500 to \$1000 and the imprisonment is reduced from three to two years.



SECTION 279 re-enacts and makes general Section 1 of the Act of 1865, February 28, P. L. 238, and the Act of 1921, April 13, P. L. 140. It increases the fine from \$500 to \$1000.

SECTION 280 re-enacts Sections 1 and 2 of the Act of 1909, April 23, P. L. 171, and part of the Act of 1921, April 14, P. L. 145, with verbal changes. It abolishes the minimum penalty. Summary conviction is provided for.

SECTION 281 replaces the Act of 1897, May 19, P. L. 76. The fine is increased from \$100 to \$300.

SECTION 282 combines and broadens Section 155 of the Code of 1860, and the Act of 1885, June 23, P. L. 138. The proviso to Section 1 of the Act of 1887, May 19, P. L. 140 (amending the Act of 1885, June 23, P. L. 138) is omitted. It standardizes the penalties in the existing acts.

SECTION 283 re-enacts Section 1 of the Act of 1889, May 9, P. L. 167, changing "unlawfully, wilfully or recklessly" to "wilfully and unlawfully."

SECTION 284 re-enacts Section 2 of the Act of 1883, April 26, P. L. 14, with verbal changes. It increases the penalty from thirty days' imprisonment and \$25 fine to three months' imprisonment and \$100 fine.

SECTION 285 re-enacts Section 5 of the Act of 1887, June 1, P. L. 283. It broadens this act to in-

clude any person and to cover uniforms, equipment, etc., and injury to an arsenal itself. The penalty is increased from thirty days' imprisonment and \$50 fine to three months' imprisonment and \$100 fine.

SECTION 286 re-enacts Section 1 of the Act of 1870, February 12, P. L. 15, with verbal changes. It increases the penalty from \$100 fine to imprisonment for three months and \$100 fine.

SECTION 287 re-enacts Section 1 of the Act of 1887, March 22, P. L. 8. It broadens this section to cover the bailee of any property. The penalty is increased from twenty days' imprisonment to three months' imprisonment.

SECTION 288 replaces Section 1 of the Act of 1887, May 6, P. L. 87. It broadens this section to cover any unlawful mutilation, etc., and confines the offense to mutilation, etc., of lawfully erected posters. A penalty of three months' imprisonment is added.

SECTION 289 re-enacts the Act of 1903, March 10, P. L. 20, and the Act of 1913, June 25, P. L. 560, and Section 1 of the Act of 1881, June 8, P. L. 85. It broadens these acts to cover all property and omits "defaces," as "defaces" is covered by new Sections 276 and 277. It standardizes the different penalties in existing acts.

SECTION 290 re-enacts the Act of 1903, April 24, P. L. 296, and broadens this act to include "injure" and to include fowls, and changes "maliciously" to

“unlawfully.” The imprisonment is reduced from three to two years and the fine increased from \$500 to \$1000.

SECTION 291 replaces Sections 2 and 4 of the Act of 1921, May 10, P. L. 430. It reduces the penalty from one year and \$500 to six months and \$300.

SECTIONS 292 and 293 replace Section 1 of the Act of 1830, March 12, P. L. 80; part of Sections 1 and 2 of the Act of 1869, March 29, P. L. 22 (except as to procedure), and the Act of 1911, May 5, P. L. 178. They standardize the penalties in these various acts.

SECTION 294 re-enacts Section 1 of the Act of 1872, April 3, P. L. 38.

SECTION 295 re-enacts Section 1 of the Act of 1876, May 8, P. L. 137 (except as to procedure).

## TITLE IX.—OFFENSES AGAINST THE COIN AND FORGERY.

SECTIONS 296 to 304, inclusive, with the exception of Section 298 (which is new) are intended to replace Sections 156 to 163, inclusive, of the Code of 1860. The penalties have been made to conform to similar offenses in the Federal Penal Code of 1910.

SECTION 305 is new. It is an enactment and extension of Section 148 of the Federal Penal Code of 1910.

SECTION 306 re-enacts Section 164 of the Code of 1860 with verbal changes. The penalty is made the same as counterfeiting similar bills of the United States, except as to the fine, which is made to conform to the general plan of the proposed act.

SECTION 307 re-enacts Section 169 of the Code of 1860 with verbal changes. The fine is increased from \$1000 to \$5000, and the offense is made a felony.

SECTION 308 re-enacts Section 166 of the Code of 1860 and similar provisions in the Federal Code, with verbal changes. The fine is increased from \$1000 to \$2000.

SECTION 309 re-enacts Section 168 of the Code of 1860 with verbal changes. The penalty is made the same as in similar crimes in the Federal Penal Code.

SECTION 310 re-enacts and combines Sections 165 and 167 of the Code of 1860, and Sections 2 and 3 of the Act of 1867, January 7, P. L. 1369, and adds, as new, part of the provision contained in Section 150 of the Federal Penal Code of 1910. It makes the possession of one note sufficient. The penalty is made the same as for the similar offense in the Federal Penal Code, except as to the fine.

SECTION 311 re-enacts Section 1 of the Act of 1889, May 8, P. L. 127, with verbal changes. The fine is increased from \$1000 to \$2000.

SECTION 312 re-enacts Sections 2 and 3 of the Act of 1889, May 8, P. L. 127, with verbal changes.

SECTION 313 re-enacts Section 170 of the Code of 1860 with verbal changes. The crime is made a felony and the fine is increased from \$1000 to \$3000.

SECTION 314 re-enacts and extends Section 171 of the Code of 1860. It makes the crime a felony and increases the fine from \$2000 to \$3000.

SECTION 315 re-enacts Section 176 of the Code of 1860 and broadens it to cover letters, etc.

SECTION 316 re-enacts Section 5 of the Act of 1866, September 25, P. L. (1867) 1363, and Section 7 of the Act of 1866, September 24, P. L. (1867) 1363. It excepts cases where receipts are marked "not negotiable" and cases where partial delivery has been made.

SECTION 317 re-enacts and extends Section 172 of the Code of 1860. It increases the fine from \$200 to \$500.

SECTION 318 re-enacts Section 173 of the Code of 1860, with verbal changes. The fine is increased from \$100 to \$500.

SECTION 319 re-enacts Section 1 of the Act of 1887, May 23, P. L. 166, omitting the part which amounts to larceny. It reduces the penalty from two years' imprisonment and \$1000 fine to one year's imprisonment and \$500 fine.

SECTION 320 re-enacts and extends Section 174 of the Code of 1860. It increases the fine from \$100 to \$500.



SECTION 321 re-enacts and extends Section 175 of the Code of 1860. The fine is reduced from \$500 to \$300, and six months' imprisonment is added.

SECTION 322 re-enacts Section 3 of the Act of 1903, April 3, P. L. 134. The penalty is changed from five years' imprisonment and \$1000 fine to two years' imprisonment and \$1000 fine. The minimum penalty has, as in all other cases, been omitted.

SECTION 323 is new.

SECTION 324 re-enacts the Act of 1919, July 21, P. L. 1063, with verbal changes.

## TITLE X.—GENERAL PROVISIONS.

SECTION 325 re-enacts Section 178 of the Code of 1860, with verbal changes.

SECTION 326 is new.

SECTION 327 is new.

SECTION 328 re-enacts Section 179 of the Code of 1860, with verbal changes.

SECTION 329 re-enacts Section 180 of the Code of 1860 and Section 1 of the Act of 1893, June 3, P. L. 286, with verbal changes. The penalty for the accessory after the fact is increased from \$500 to \$1000 fine.

SECTION 330 is new.

SECTION 331 is new.



SECTION 332 is new.

SECTION 333 replaces Section 181 of the Code of 1860, and extends it to all crimes.

SECTION 334 re-enacts Section 182 of the Code of 1860, with verbal changes.

SECTION 335 is new.

SECTION 336 is new.

SECTION 337 is new.

SECTION 338 is new.

SECTION 339 is new.

We have now completed the work committed to our charge and respectfully submit the same.

Respectfully submitted,

EDWIN M. ABBOTT,

*Chairman;*

CLARENCE D. COUGHLIN,

LEX N. MITCHELL,

GEORGE C. BRADSHAW\*

JOHN H. MAURER,

MARION D. PATTERSON,

WILLIAM E. MIKELI,

*Draftsman of the Penal Code  
and Secretary of the  
Commission;*

RICHARD W. MARTIN,

*Draftsman of the Code of  
Procedure.*

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\*Deceased.

## AN ACT

TO CONSOLIDATE, REVISE AND AMEND THE PENAL LAWS  
OF THIS COMMONWEALTH.

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## GENERAL SUMMARY.

TITLE I.—OFFENSES AGAINST THE GOVERN-  
MENT OF THE COMMONWEALTH.

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## SECTION 1. Treason.

“ 2. Misprision of treason.

“ 3. Conspiracy to commit treason.

“ 4. Sedition.

“ 5. Mutilation, etc., of flag.

“ 6. Advertising on flag.

“ 7. Bribery of public officers.

“ 8. Solicitation of bribes by public officers.

“ 9. Bribery of and threats to electors.

“ 10. Solicitation of bribes by electors.

“ 11. Witness refusing to attend and testify  
before General Assembly.

TITLE II.—OFFENSES AGAINST PUBLIC JUS-  
TICE AND ADMINISTRATION.

## SECTION 12. Conspiracy to indict.

“ 13. Prison breach.

“ 14. Furnishing weapon to convict.

“ 15. Voluntary escape.

“ 16. Negligent escape.

- SECTION 17. Refusal or neglect of officers to execute process.
- “ 18. Refusal or neglect of officer to perform duty.
- “ 19. Refusal of officer to issue certificate.
- “ 20. Forcibly obstructing officer in execution of legal process, etc.
- “ 21. Assaulting officer in discharge of duty.
- “ 22. Barratry.
- “ 23. Compounding offenses.
- “ 24. Dissuading witness.
- “ 25. Persuading witness to abscond or secrete himself.
- “ 26. Witness absconding or secreting himself.
- “ 27. Extortion in taking illegal fees.
- “ 28. Embracery and influencing officer unlawfully.
- “ 29. Bribery of certain officers, jurors, etc.
- “ 30. Soliciting and accepting bribes by certain officers, jurors, etc.
- “ 31. Witness testifying exempt from prosecution.
- “ 32. Perjury.
- “ 33. False entries, abstraction and destruction of public records.
- “ 34. Detaining public records, seals and papers.
- “ 35. False acknowledgment of deeds.
- “ 36. Offering false instrument for recording.
- “ 37. False personation of officer.

### TITLE III.—OFFENSES AGAINST THE PUBLIC PEACE.

- SECTION 38. Riots, routs, assemblies and affrays.
- “ 39. Riotous resistance to officer.
- “ 40. Riotous destruction of property.
- “ 41. Forcible entry and detainer.
- “ 42. Disturbance of assembly.
- “ 43. Disturbance of public.
- “ 44. Discharge of weapon in public place.
- “ 45. Discharge of weapon at serenade or wedding.
- “ 46. Libels.
- “ 47. Furnishing libellous matter.
- “ 48. Limitation on prosecution for libel.
- “ 49. Anonymous communications.
- “ 50. Libels on candidates.
- “ 51. False statements as to banks, etc.
- “ 52. Challenges to duel.
- “ 53. Concealing challenge.
- “ 54. Carrying dangerous weapons.
- “ 55. Carrying bombs and explosives.

### TITLE IV.—OFFENSES AGAINST PUBLIC MORALS AND DECENCY.

- SECTION 56. Sodomy.
- “ 57. Bigamy.
- “ 58. Unmarried person marrying wife or husband of another.
- “ 59. Bigamous cohabitation.
- “ 60. Adultery.

- SECTION 61. Fornification and bastardy.
- “ 62. Incest.
- “ 63. Possession, etc., of obscene matter.
- “ 64. Possession, etc., or article, etc., to prevent conception or cause abortion.
- “ 65. Issuance of warrant.
- “ 66. Posting indecent matter.
- “ 67. Participating in or allowing obscene exhibitions.
- “ 68. Advertising cures for secret diseases.
- “ 69. Seduction.
- “ 70. Taking indecent liberties with minor.
- “ 71. Taking minors for sexual intercourse.
- “ 72. Keeping disorderly house.
- “ 73. Keeping bawdy house.
- “ 74. Prostitution and assignation.
- “ 75. Pandering.
- “ 76. Accepting property from prostitutes.
- “ 77. Detaining females in disorderly house.
- “ 78. Transporting females for purpose of prostitution.
- “ 79. Venue.
- “ 80. Sending minor to immoral place.
- “ 81. Loitering about bawdy house.
- “ 82. Public indecency.
- “ 83. Exhibition of idiot.
- “ 84. Violation of sepulture.

## TITLE V.—OFFENSES AGAINST PUBLIC POLICY, ECONOMY AND HEALTH.

- |         |   |
|---------|---|
| SECTION | 85. Lottery, a nuisance.                                      |
| “       | 86. Conducting lottery.                                       |
| “       | 87. Selling ticket, policy, etc., in lottery.                 |
| “       | 88. Gambling.   |
| “       | 89. Common gamblers.  |
| “       | 90. Enticing person to gamble.                                |
| “       | 91. Witness.  |
| “       | 92. Seizure of gambling instruments.                          |
| “       | 93. Pool selling.   |
| “       | 94. Conducting opium joint.                                   |
| “       | 95. Smoking opium in opium joint.                             |
| “       | 96. Enticing person into opium joint.                         |
| “       | 97. Seizure of instrument for smoking<br>opium.               |
| “       | 98. Prize fighting.   |
| “       | 99. Betting on boxing, etc., matches.                         |
| “       | 100. Promoting, etc., excessive sport.                        |
| “       | 101. Vagrant.   |
| “       | 102. Vagrant entering dwelling; apprehen-<br>sion of vagrant. |
| “       | 103. Loan of public money by officer.                         |
| “       | 104. Deposit of public money by officer.                      |
| “       | 105. Payment of public money without au-<br>thority of law.   |
| “       | 106. Misapplication of public money.                          |
| “       | 107. Buying public claim.                                     |
| “       | 108. Increasing debt of municipality.                         |
| “       | 109. Increasing debt of municipality; pro-<br>cedure.         |



- SECTION 110. Use or disposal of public property.
- “ 111. Public officer and officer of institution interested in public contract.
- “ 112. Bank cashier engaging in other business.
- “ 113. Public officer becoming surety.
- “ 114. Malversation by corporation officer.
- “ 115. Corporation officer issuing certificate as currency.
- “ 116. Foreign corporation transacting business.
- “ 117. Importing dressed carcass.
- “ 118. Disposing of infected cattle.
- “ 119. Sale, etc., of article containing methyl alcohol.
- “ 120. Illegal sale or manufacture of ethyl alcohol.
- “ 121. Exposure of poison.
- “ 122. Polluting drinking water.
- “ 123. Importing criminals.
- “ 124. Conveying drug, liquor, etc., into prison.
- “ 125. Conveying article in and out of prison.
- “ 126. Furnishing tobacco or snuff to minor.
- “ 127. Sale of weapon to minor.
- “ 128. Sale, etc., of fireworks.
- “ 129. Sale, etc., of balloon.
- “ 130. Keeping boarding house for infant.
- “ 131. Maintaining home for insane.
- “ 132. Dealing in human being.
- “ 133. Regulation of billiard room.
- “ 134. Certain employment of children prohibited.

- SECTION 135. Divulging contents of telegraph or telephone message.
- “ 136. Purchasing, etc., military supplies.
- “ 137. Discrimination on account of race, color or uniform:
- “ 138. Discrimination between policy holders.
- “ 139. Public nuisance.
- “ 140. Distribution of candy, drugs, etc.
- “ 141. Throwing waste matter on street.
- “ 142. Carrying and shipping explosives on train, etc.
- “ 143. Conductor to arrest.
- “ 144. Shipping explosive under false invoice.
- “ 145. Anchoring vessel on range of range lights.
- “ 146. Driving and riding animal while intoxicated.
- “ 147. Hunting while intoxicated.
- “ 148. Marrying intoxicated person.
- “ 149. Political assessment.
- “ 150. Demanding property from employee.
- “ 151. Bribery of servants, employes and agents.
- “ 152. Using false documents with intent to deceive principal, master or employer.
- “ 153. Speeding to, and parking near fires, and driving over hose.
- “ 154. False alarm of fire.
- “ 155. Appointment of special policemen.
- “ 156. Withholding papers of soldiers, etc.
- “ 157. Collecting fee from veterans.
- “ 158. Railroad employee abandoning train.
- “ 159. Railroad employee refusing to move car.

- SECTION** 160. Interference with employee of railroad.
- “ 161. Unlawful sale of railroad ticket.
- “ 162. Illegal practice of profession.
- “ 163. Sale of diploma.
- “ 164. False statement in application for permit.
- “ 165. Illegal transaction of business of insurance.
- “ 166. Offering money for proxies.
- “ 167. Advertising as agent of foreign or fictitious insurance company.
- “ 168. Illegal sale of tickets.
- “ 169. Illegal transaction of business of detective.
- “ 170. Conducting business under assumed name.
- “ 171. Bribing in athletic contest.

## **TITLE VI.—OFFENSES AGAINST THE PERSON**

- SECTION** 172. Murder.
- “ 173. Punishment for murder of the first degree.
- “ 174. Punishment for murder of the second degree.
- “ 175. Petit treason abolished.
- “ 176. Death by mob, and after rescue.
- “ 177. Voluntary manslaughter.
- “ 178. Involuntary manslaughter.
- “ 179. Time of death.
- “ 180. Aggravated battery.
- “ 181. Assault and battery.

- SECTION 182. Assault with intent to kill.
- “ 183. Pointing or discharging firearm.
- “ 184. Administering drugs, etc., with intent.
- “ 185. Abortion.
- “ 186. Abortion causing death.
- “ 187. Administering drugs, etc., with intent to commit abortion.
- “ 188. Concealing death of child.
- “ 189. Abandonment of child.
- “ 190. Neglect of child.
- “ 191. Desertion and neglect of wife or child.
- “ 192. Refusal to support bastard child.
- “ 193. Rape.
- “ 194. Kidnapping with intent to extort.
- “ 195. Other kidnapping.
- “ 196. Neglect of injured person.

## TITLE VII.—OFFENSES AGAINST PERSONAL PROPERTY, AND FRAUDULENT DEALING THEREWITH.

- SECTION 197. Robbery.
- “ 198. Robbery with accomplice, or being armed.
- “ 199. Blackmail.
- “ 200. Stealing.
- “ 201. Stealing from the person.
- “ 202. Stealing by public officer.
- “ 203. Bringing stolen property into the Commonwealth.
- “ 204. Fraudulent pledging of property by factors.

- SECTION 205. Fraudulent pledging of property by bailee.
- “ 206. Interest in property no defense in stealing.
- “ 207. No exemption from testifying.
- “ 208. Obtaining signature by false pretense.
- “ 209. Receiving stolen property.
- “ 210. Trial of receivers.
- “ 211. Altering, destroying, etc., identification mark on machines.
- “ 212. False entries by officers of associations.
- “ 213. Fraudulent accounts by officers of associations.
- “ 214. Altering, destroying, etc., books of associations.
- “ 215. False statements by officers of associations.
- “ 216. Fraudulent pledging of property.
- “ 217. Receipt of deposits by officers of insolvent banks.
- “ 218. Fraudulent pledging of name of association.
- “ 219. Fraud on insurance companies.
- “ 220. Fraud on railroad companies.
- “ 221. Making, etc., check without sufficient funds.
- “ 222. Obtaining employment by false pretense.
- “ 223. Publishing deceptive advertisement.
- “ 224. Professional thieves.
- “ 225. Possession of false electric meters.
- “ 226. Possession of false gas meters.

**SECTION 227.** Omitting distinctive words on notes  
given for patent rights.

- “ 228. Fortune telling.
- “ 229. Fraud on hotel keepers.
- “ 230. Fraudulent marking of gold.
- “ 231. Fraudulent marking of gold.
- “ 232. Fraudulent marking of gold.
- “ 233. Fraudulent marking of gold.
- “ 234. Fraudulent marking of silver.
- “ 235. Fraudulent marking of silver.
- “ 236. Fraudulent marking of silver.
- “ 237. Fraudulent marking of silver.
- “ 238. Presenting unpublished play or music.
- “ 239. Buying junk.
- “ 240. Using milk container of another.
- “ 241. Removing, etc., name of owner from  
milk container.
- “ 242. Refilling bottles of another.
- “ 243. False registration of animals.
- “ 244. Fraudulent entry of horse in race.
- “ 245. Fraudulent obtaining of property from  
bailee.
- “ 246. Refusal to surrender records.
- “ 247. Fraudulent destruction of deeds, etc.
- “ 248. Frauds on creditors.
- “ 249. Frauds on certain associations.
- “ 250. Unauthorized wearing of discharge but-  
ton.
- “ 251. Buying, selling, pledging, etc., insignia  
of service.
- “ 252. Frauds on association having grand  
lodge.



# **TITLE VIII.—OFFENSES AGAINST REAL PROPERTY. AND MALICIOUS MISCHIEF.**

## **SECTION 253. Burglary.**

- “ 254. Breaking and entering building; or entering building with intent to commit felony.
- “ 255. Halting, injuring, etc., train.
- “ 256. Making, mending or having burglars' tools.
- “ 257. Burning of building, hay, motor, etc.
- “ 258. Arson.
- “ 259. Burning woodlands, kindling fire in forest reservation.
- “ 260. Burning with intent to defraud insurer.
- “ 261. Effect of tenancy and coverture.
- “ 262. Placing explosive near building.
- “ 263. Injuring or obstructing highway, bridges, etc.
- “ 264. Injuring or obstructing artificial navigation.
- “ 265. Opening or shutting locks, etc.
- “ 266. Injuring bank, or wall of stream.
- “ 267. Injuring mines.
- “ 268. Injuring oil, gas and water wells.
- “ 269. Obstructing stream.
- “ 270. Injuring, etc., buoy, beacon, etc.
- “ 271. Injuring railroad.
- “ 272. Injuring or taking possession of railroad property.
- “ 273. Malicious injury to railroad property.
- “ 274. Malicious injury, etc., to wires, cables, etc.

- SECTION 275.** Injuring property of electrical company.
- “ 276. Injuring or defacing buildings and fixtures.
- “ 277. Injuring trees, vines, timber, produce, fences, etc.
- “ 278. Injuring fire apparatus.
- “ 279. Injuring, etc., fire alarm.
- “ 280. Defacing direction signs.
- “ 281. Breaking or entering school house, or injuring property therein.
- “ 282. Injuring property in libraries, museums, etc.
- “ 283. Injuring, defacing, etc., monument.
- “ 284. Injuring property at exhibition.
- “ 285. Injuring arsenal, armory, or property therein.
- “ 286. Injuring baggage.
- “ 287. Injuring property by bailee thereof.
- “ 288. Defacing, etc., advertisement.
- “ 289. Posting advertisement on property of another.
- “ 290. Killing, etc., animal of another.
- “ 291. Unlawful entry of game preserve.
- “ 292. Cruelty to animals.
- “ 293. Cock-fighting, bull-fighting, etc.
- “ 294. Seizure of animal used in fighting.
- “ 295. Injuring ice on pond, etc.

## TITLE IX.—OFFENSES AGAINST THE COIN, AND FORGERY.

- SECTION 296. Counterfeiting gold and silver coin.
- “ 297. Mutilating gold and silver coin.
- “ 298. Buying, selling and importing counterfeit gold and silver coin.
- “ 299. Uttering counterfeit gold and silver coin.
- “ 300. Counterfeiting minor coin.
- “ 301. Buying, selling and importing minor coin.
- “ 302. Uttering counterfeit minor coin.
- “ 303. Making, possession, etc., coining tools.
- “ 304. Proof of forgery.
- “ 305. Counterfeiting, uttering and possessing securities.
- “ 306. Counterfeiting, forging bank notes and checks, and uttering same.
- “ 307. Forgery and uttering of forged instruments.
- “ 308. Connecting parts of notes.
- “ 309. Uttering note of fictitious bank.
- “ 310. Making, possessing, etc., plates; possessing counterfeit notes, bonds, paper, etc.
- “ 311. Printing advertisement of counterfeit money.
- “ 312. Using fictitious name in advertising counterfeit money.
- “ 313. Forgery of seal and uttering instruments impressed with same.

- SECTION 314. Forging, defacing, etc., of records.
- “ 315. Forgery of letters, telegrams, etc.
- “ 316. Forgery of warehouse receipts, etc.
- “ 317. Counterfeiting public brands.
- “ 318. Counterfeiting trade marks.
- “ 319. Removing marks from property.
- “ 320. Possessing dies, plates, etc., of trade marks.
- “ 321. Vending goods fraudulently marked.
- “ 322. Counterfeiting, etc., mark of trade unions and vending goods marked with same.
- “ 323. Falsely branding goods and offering same for sale.
- “ 324. Falsely representing food to be kosher.

## TITLE X.—GENERAL PROVISIONS.

- SECTION 325. Offenses not provided against to be punished as heretofore.
- “ 326. Civil rights and remedies preserved.
- “ 327. Civil penalties not affected.
- “ 328. Restitution of property.
- “ 329. Principals in the second degree and accessories.
- “ 330. Conspiracy.
- “ 331. Attempts.
- “ 332. Solicitation.
- “ 333. Offenders to be competent as witnesses.
- “ 334. Second offenders.
- “ 335. Effect of repeal, amendment or modification of existing laws.

SECTION 336. Effect of unconstitutionality of single sections of act.

“ 337. Manner of citing act.

“ 338. Definitions:

1. Offense.
2. Person, any person, any one, the person, every person, such person, other, another and relative pronoun he.
3. Terms denoting gender.
4. Sub-division of this Commonwealth.
5. Flag, standard, color, ensign, shield.
6. Public officer.
7. A bribe.
8. Public election.
9. Prison.
10. Imprisoned.
11. Prisoner.
12. Escape.
13. Prostitution.
14. Assignment.
15. Day or day-time.
16. Night or night-time.
17. Dwelling or dwelling house.
18. Building.
19. Writing, written.
20. Obligation or other security of the United States.
21. Lottery.
22. Property.
23. Food.
24. Credit.

- 25. Child.
- 26. Ship.
- 27. Trustee.
- 28. Woodland.
- 29. Injure.
- 30. Wantonly.
- 31. Wilfully.
- 32. Unlawfully.
- 33. Maliciously.
- 34. Sells.

SECTION 339. Acts repealed.

## TITLE I.—OFFENSES AGAINST THE GOVERNMENT OF THE COMMONWEALTH.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by authority of the same,* That any person who levies war against the Commonwealth of Pennsylvania or adheres to its enemies, giving them aid and comfort within the State or elsewhere, is guilty of treason, and if convicted thereof on confession in open court, or on the testimony of two witnesses to the same overt act of the treason of which he is indicted, shall be imprisoned for a term of years not exceeding the life of offender, or fined not exceeding ten thousand dollars, or both.

SECTION 2. Any person having knowledge of the commission of any treason against the Common-



wealth of Pennsylvania, who conceals, and does not, as soon as maybe, disclose and make known the same to the Governor or Attorney General of the Commonwealth, or to some one of the judges, justices or district attorneys thereof, is guilty of misprision of treason, and shall be imprisoned not exceeding six years, or fined not exceeding three thousand dollars, or both.

SECTION 3. Any person who conspires to overthrow, put down or destroy by force the Government of the Commonwealth of Pennsylvania, or to levy war against it, or to oppose by force the authority thereof, or by force to prevent, hinder or delay the execution of any law of this Commonwealth, or by force to take or possess any property of this Commonwealth contrary to the authority thereof, is guilty of a felony, and shall be imprisoned not exceeding twenty years, or fined not exceeding ten thousand dollars, or both.

SECTION 4. Any person who makes any writing, publication, printing, cut, cartoon, or utterance with intent to make or cause to be made any outbreak or demonstration of violence against this Commonwealth or against the United States; or to encourage any person to take any measures or engage in any conduct with a view of overthrowing or destroying or attempting to overthrow or destroy, by any force or show or threat of force, the Government of this Commonwealth or of the United States; or to incite or encourage any person to commit any overt act with a view to bringing the Government of this Commonwealth or of the United States into hatred or contempt; and any person

who makes any writing, publication, printing, cut, cartoon, or utterance which advocates or teaches the duty, necessity, or propriety of engaging in crime, violence, or any form of terrorism, as a means of accomplishing political reform or change in Government, or who knowingly sells, gives or distributes any print, publication, book, paper, document, or written matter in any form, which advocates or furthers any of the things above provided against; or who organizes or is a member of an assembly, society or group which advocates or furthers any of the things above provided against is guilty of sedition, a felony, and shall be imprisoned not exceeding twenty years, or fined not exceeding ten thousand dollars, or both.

SECTION 5. Any person who publicly mutilates, defaces, defiles, tramples upon, or by word or act casts contempt upon any flag, standard, color, ensign or shield of the United States of America, or of this Commonwealth, or authorized by any law of the United States of America or of this Commonwealth, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 6. Any person who places any word, figure, mark, picture, design, drawing or advertisement of any nature upon any flag, standard, color, ensign or shield of the United States of America or of this Commonwealth, or authorized by any law of the United States of America or of this Commonwealth; or exposes to public view any such flag, standard, color, ensign, or shield upon which is printed, painted

or otherwise placed, or to which is attached, appended, affixed or annexed any such word, figure, mark, picture, design, drawing or advertisement; or exposes to public view, manufactures, sells, exposes for sale, gives or has in possession for sale, for gift or for use for any purpose, any substance, being an article of merchandise or receptacle, or thing for holding or carrying merchandise, upon or which is printed, painted, attached or otherwise placed any such flag, standard color, ensign or shield, in order to call attention to, decorate, mark or distinguish such substance or receptacle, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding two hundred dollars, or both: Provided, That the provisions of sections five and six of this act shall not apply to any act permitted by the statutes of the United States of America or of this Commonwealth, or by the United States Army and Navy Regulations, nor shall they apply to any printed or written document or production, stationery, ornament, picture, badge or jewelry whereon shall be depicted said flag, standard, color, ensign or shield disconnected from any advertisement for the purpose of sale, barter or trade.

SECTION 7. Any person who offers or gives a bribe to any public officer or employee of this Commonwealth, or of any sub-division thereof, the offer to bribe whom or the bribery of whom is not specifically provided against in this act; or who threatens or intimidates any such officer or employee with intent to influence his action as such officer or employee, is guilty of a felony, and shall be imprisoned not ex-

ceeding five years, or fined not exceeding two thousand dollars, or both: Provided, That any open address upon or explanation of any measure or question before either house of the General Assembly, or any committee or member thereof, or before any municipal council, or board, or committee thereof, or before any public officer, shall not be deemed an offense within the meaning of this section.

SECTION 8. Any public officer or employee of this Commonwealth, or of any sub-division thereof, by whom the solicitation of, consent to receive, or acceptance of a bribe is not specifically provided against in this act, who solicits, consents to receive or accepts a bribe, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both; and forfeits his office, and is forever disqualified to hold any office of trust, honor or profit under the constitution or laws of this Commonwealth.

SECTION 9. Any person who offers or gives a bribe to any elector authorized to vote at any public election, or who dismisses or threatens such elector with dismissal from any office, place, appointment or employment, public or private, with intent to influence the vote of such elector at such election, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both.

SECTION 10. Any elector, authorized to vote at any public election, who solicits, consents to receive,

or accepts a bribe to influence his vote at such election, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 11. Any person who, being duly summoned to attend as a witness before either branch of the General Assembly of this Commonwealth, or any committee thereof authorized to summon witnesses, refuses or neglects without lawful excuse to attend or to testify pursuant to such summons, or to produce upon reasonable notice, any material and proper book, paper or document in his possession, custody or control, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

## TITLE II.—OFFENSES AGAINST PUBLIC JUSTICE AND ADMINISTRATION.

SECTION 12. Any person who conspires to charge or indict any person of or for any offense; or procures or attempts to procure the arrest or indictment of any person for any offense, not believing such person to be guilty thereof, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 13. Any prisoner who breaks prison, or escapes from prison or from lawful custody, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.



SECTION 14. Any person who sells, gives or furnishes to any prisoner any weapon or other implement which may be used to injure any person or to aid a prisoner to escape; or who brings or sends any such weapon into any prison or building appurtenant thereto, or on any land employed for the use or benefit of prisoners, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 15. Any sheriff, coroner, warden, jailer, guard, keeper, constable, or other person having in his lawful custody any person lawfully arrested for or convicted of any offense, who voluntarily permits such person to escape and go at large, or connives at or assists such escape, or who suffers such person to be taken from his custody by a mob or riotous assemblage, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both, and forfeits his office; and is forever disqualified to hold any office or place of trust, honor or profit under the constitution or laws of this Commonwealth.

SECTION 16. Any sheriff, coroner, warden, jailer, guard, keeper, constable or other person who, by failing to perform any legal duty, permits a person in his lawful custody to escape therefrom, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 17. Any sheriff, coroner, warden, jailer, keeper, constable or other person who, in violation of



a duty imposed upon him by law, wilfully refuses, omits or delays to execute any lawful process directed to him, requiring the apprehension or confinement of any person charged with or convicted of a criminal offense, whereby such person shall escape, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both.

SECTION 18. Any public officer of this Commonwealth upon whom any duty is or shall be enjoined by law, who wilfully neglects or refuses to perform such duty, or who wilfully disobeys any provision of law regulating his official conduct, where no special provision shall have been made for such neglect or refusal, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 19. Upon arrest of any person, charged with an offense, it shall be the duty of the sheriff, coroner, constable, police, or other official making the arrest, or having charge of the prisoner, upon application made therefor either by counsel or a citizen, to issue without cost to the applicant, a certificate stating the name of the prisoner, and the charge upon which he has been arrested, and imprisoned, and the amount of bail demanded, if the same has been fixed, so that the bail may be entered as authorized by law. Any sheriff, coroner, constable, police or other official, who made such arrest or has such prisoner in charge, or any mayor or director of public safety, or subordinate of either of them, of any municipal corporation of

this Commonwealth, by whose order or direction said prisoner is held, who fails, omits, neglects or refuses to issue such certificate immediately upon demand thereof, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 20. Any person who wilfully resists, obstructs or opposes or delays any public officer in the discharge of or the attempt to discharge any duty of his office; or who forcibly resists, obstructs or opposes any person duly authorized in serving or executing or attempting to serve or execute any legal process; or who being commanded to aid any public officer in executing any legal process, or in the preservation of the peace, or in lawfully arresting any person, or in retaking any person who has escaped or is attempting to escape from legal custody, refuses so to do, or who harbors or conceals any person for whose arrest a lawful warrant has been issued, knowing that such warrant has been issued, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 21. Any person who assaults or strikes any public officer while such officer is engaged in the lawful discharge of or the attempt to lawfully discharge any duty of his office; or who assaults or strikes any person engaged in lawfully serving or executing or lawfully attempting to serve or execute any legal process, or in making any lawful arrest or capture; or who rescues another in legal custody, is guilty of a misdemeanor, and shall be imprisoned not exceed-

ing two years, or fined not exceeding one thousand dollars, or both.

SECTION 22. Any person who vexes others with unjust and groundless judicial proceedings, is guilty of barratry, a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 23. Any person who accepts any property or promise thereof upon any agreement or understanding to compound or conceal any offense herein or hereafter provided against, or to abstain from, discontinue or delay a prosecution therefor, or to withhold any evidence thereof, except in a case where such agreement is allowed by law, shall be punished as follows: If the offense he thus agrees to compound, or conceal, or to delay, or discontinue, or abstain from the prosecution of, or to withhold evidence of, is punishable by death or imprisonment for life, he shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars, or both; if the offense is punishable by a lesser period of imprisonment than imprisonment for life, he shall be imprisoned not exceeding one-third of the longest term or fined not exceeding one-third of the largest sum prescribed for the commission of the offense, or by both such imprisonment and fine.

SECTION 24. Any person who wilfully prevents, hinders or dissuades any person who has been lawfully summoned as a witness in any trial, hearing or other proceeding before any court or officer authorized

by law to hear evidence or take testimony, from attending or testifying pursuant to the summons, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 25. Any person who, with intent to hinder, delay or obstruct the ends of justice, induces another who has knowledge of any fact tending to show the guilt or innocence of any person suspected of or charged with an offense, to leave the Commonwealth or secrete himself so that he cannot be produced as a witness at any legal examination into such offense, or at any legal examination or trial of the person suspected of or charged with such offense, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 26. Any person having been lawfully subpoenaed as a witness in any trial, hearing or other proceeding before any court, officer, or other person authorized by law to hear evidence or take testimony, who with intent to hinder, delay or obstruct the ends of justice, leaves this Commonwealth or absents himself therefrom or secretes himself and refuses to appear or testify in pursuance of such subpoena, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 27. Any officer of this Commonwealth, or of any sub-division thereof, who fraudulently solicits

or receives or agrees to receive a fee or other compensation other than such as is allowed by law, for his official service, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both, and forfeits his office; and shall be forever disqualified from holding any office of trust, honor or profit under the constitution or laws of this Commonwealth or any subdivision thereof.

SECTION 28. Any person who wilfully and unlawfully influences a juror, or one drawn or summoned as a juror, or a judge, justice, magistrate, master, examiner, referee, arbitrator, commissioner, appraiser, assessor, or other person authorized by law to hear or determine any matter, in respect to his verdict, report, judgment, award or decision in any matter or cause pending or about to be brought before him, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 29. Any person who offers or gives a bribe to any witness, whether under subpoena or not, or to any juror, or one drawn or summoned as a juror, or to any judge, justice, magistrate, master, examiner, referee, arbitrator, commissioner, appraiser, assessor, or other person authorized by law to hear or determine any matter, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 30. Any juror, or person drawn or summoned as a juror, any witness, judge, justice, mag-



istrate, master, examiner, referee, arbitrator, commissioner, appraiser, assessor, or other person authorized by law to hear or determine any matter, who solicits or receives or agrees to receive a bribe, is guilty of a felony, and shall be imprisoned not exceeding seven years, or fined not exceeding three thousand dollars, or both; and, if he be a judge, justice or magistrate, forfeits his office, and is forever disqualified to hold any office of trust, honor or profit under the constitution or laws of this Commonwealth.

SECTION 31. No witness shall be excused from testifying in any criminal proceeding, or in any investigation or inquiry before either branch of the General Assembly, or any Committee thereof, touching his knowledge of the crimes provided for in sections seven, eight, twenty-eight, twenty-nine and thirty of this act, under any pretense or allegation whatsoever; but the evidence so given or the facts divulged by him shall not be used against him in any prosecution under any of the said sections of this act: Provided, That the accused shall not be convicted on the testimony of an accomplice unless the same be corroborated by other evidence or the circumstances of the case.

SECTION 32. Any person who, having taken an oath or affirmation, legally administered, before any officer, tribunal, body or person authorized by law to require or administer such oath or affirmation, wilfully and corruptly swears or affirms falsely in a matter relative to which such oath or affirmation was taken, is guilty of perjury, a felony, and shall be im-



prisoned not exceeding seven years, or fined not exceeding three thousand dollars, or both, and shall forever be disqualified from being a witness in any matter in controversy in which an oath or affirmation is authorized by law to be administered. On an indictment under this section it shall be no defense that the false statement was not material to the issue; or that the oath was administered in an irregular manner; or that the defendant was not a competent witness; or that his testimony was not competent; or that his testimony was true, if he believed it to be false. An unqualified statement of that which the defendant did not know to be true is equivalent to a statement of that which he knew to be false.

SECTION 33. Any person who wilfully makes a false entry in, falsifies, erases, alters, secretes, withdraws, avoids, carries away, destroys or defaces any record filed or deposited by authority of law in a public office or with any public officer of this Commonwealth, or any sub-division thereof, unless authorized thereto by law, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both; and if such person be an officer of the Commonwealth or any sub-division thereof he shall, in addition to the penalty above prescribed, forfeit his office, and be forever disqualified to hold any office of trust, honor or profit under the constitution or laws of this Commonwealth.

SECTION 34. Any person who wilfully detains from any person duly commissioned to any office or appointment in this Commonwealth, or any sub-

division thereof, any seal, record, book, paper or other property appertaining or belonging to such office, after the same has been duly demanded of him by the person entitled to possession thereof, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 35. Any person who fraudulently acknowledges any deed, recognizance or judgment in the name of any other person not privy thereto, or consenting to the same, is guilty of a felony, and shall be imprisoned not exceeding seven years, or fined not exceeding three thousand dollars, or both.

SECTION 36. Any person who knowingly offers any false or forged instrument to be acknowledged, filed, registered or recorded in any public office, which instrument, if genuine, might be acknowledged, filed, registered or recorded by virtue of any law of this Commonwealth or of the United States, is guilty of a felony, and shall be imprisoned not exceeding seven years, or fined not exceeding three thousand dollars, or both.

SECTION 37. Any person who falsely represents himself to be a public officer; or who not being a public officer assumes to act as one, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

### TITLE III.—OFFENSES AGAINST THE PUBLIC PEACE.

SECTION 38. Any person who participates in a riot, rout, unlawful assembly, or affray, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 39. Any person who participates in any riot, rout, or unlawful assembly, whose purpose, or the purpose of which, is to resist the enforcement of a law of this Commonwealth or of the United States, or to obstruct any public officer of this Commonwealth or of the United States in the performance of his duty; and any person who being disguised, or being armed with a dangerous weapon, participates in any riot, rout, or unlawful assembly, is guilty of a felony, and shall be imprisoned not exceeding ten years, or fined not exceeding five thousand dollars, or both.

SECTION 40. Any person who, while participating in any riot, rout, or unlawful assembly, demolishes, destroys, pulls down or injures any property of another, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 41. Any person who through force, threats or menaces enters upon or into any building, land or tenements; or who, after entering peaceably on any building, land or tenements, detains possession

from or turns out by force or threats or menacing conduct the party in possession, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 42. Any person who maliciously disturbs any lawful assembly, meeting, parade or procession, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding two hundred dollars, or both.

SECTION 43. Any person who wilfully makes any loud, boisterous and unseemly noise or uses obscene, profane or blasphemous language, to the annoyance or disturbance of the public shall, on summary conviction, be fined not exceeding fifty dollars, and pay the costs of prosecution, and in default in the payment of such fine and costs be imprisoned not exceeding thirty days.

SECTION 44. Any person who discharges in any street, alley, court, park or public square any implement which impels with force a metal pellet shall, on summary conviction, be fined not exceeding fifty dollars, and pay the costs of prosecution, and in default in the payment of such fine and costs be imprisoned not exceeding thirty days.

SECTION 45. Any person who discharges any cannon, gun, revolver or other explosive device at any serenade or other celebration of any wedding shall, on summary conviction, be fined not exceeding one

hundred dollars, and pay the costs of prosecution, and in default in the payment of such fine and costs be imprisoned not exceeding two months.

SECTION 46. Any person who maliciously publishes or exhibits any writing, picture, effigy, sign, or any other publication tending either to blacken the memory of one who is dead or the reputation of one who is alive, thereby exposing him to hatred, contempt or ridicule, or which tends to injure any person in his business or occupation, is guilty of libel, a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 47. Any person who wilfully makes, delivers or transmits for publication to any manager, editor, publisher, reporter or other employee of a publisher of any newspaper, magazine, publication, periodical or serial, any statement concerning any person, which if published therein would be a libel, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 48. No person shall be indicted in more than one county in the Commonwealth for the publication, exhibition, making, delivery or transmission of the same libel upon the same person

SECTION 49. Any person who without appending his proper signature thereto sends to another any libelous, defamatory, scurrilous or opprobrious writing, is guilty of a misdemeanor, and shall be imprisoned



not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 50. Any person who publishes or exhibits any writing which is designed to or tends to injure or defeat any candidate for nomination or election to public office by reflecting upon his personal character or political actions, unless the same be published in a publication avowedly responsible therefor, or unless there appears upon such writing, in a conspicuous place, either the names of the chairman and secretary or the names of two officers of the organization issuing the same, or the name of some duly registered elector with description of his election district, as responsible therefor, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both; and if the statements in such writing be untrue the offender shall be guilty of libel.

SECTION 51. Any person who makes, utters, circulates, or transmits to another any statement untrue in fact, derogatory to the financial condition of any bank, banking house, banking company, trust company, surety company, guarantee company, title insurance company or other financial institution in this Commonwealth, with intent to injure any such financial institution, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 52. Any person who challenges another to an encounter with deadly weapons; and any person who being so challenged accepts such challenge, is guilty of a misdemeanor, and shall be imprisoned



not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 53. Any person who knows of any challenge to an encounter with deadly weapons, given or received; or who is a witness to the fact of such challenge, duel or fighting, not being a second thereat, or a party criminal therein, and conceals the same and does not inform an officer of the law thereof, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 54. Any person who carries any slung-shot, metal knuckles, handy-billy, sand bag, sand club, dagger, dirk-knife, or stiletto, concealed about his person; or who with intent to use the same unlawfully against another, carries any firearms, knife, razor or other deadly weapon, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both; and the jury trying the case may infer such intent from the fact that the defendant carried such weapon; upon conviction, any weapon mentioned in this section, found in the possession of the defendant, shall be destroyed by the district attorney.

SECTION 55. Any person who without authority of law, carries a bomb, or who, with intent to use the same unlawfully against the person or property of another, carries or possesses any explosive substance, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both.

#### TITLE IV.—OFFENSES AGAINST PUBLIC MORALS AND DECENCY.

SECTION 56. Any person who carnally knows in any manner any animal or bird, or carnally knows any male or female person by the anus or by or with the mouth or tongue, or voluntarily submits to such carnal knowledge, is guilty of sodomy, a felony, and shall be imprisoned not exceeding ten years, or fined not exceeding five thousand dollars, or both; any sexual penetration as above described consummates the offense of sodomy as in this section defined.

SECTION 57. Any person who, having a husband or wife, living, participates as a principal in a form of marriage with another person which form of marriage would constitute a valid marriage but for the fact that the offender, or the offender and the other party, has a husband or wife living, whether the parties to the second form of marriage cohabit together or not, is guilty of bigamy, a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both: Provided, That if any husband or wife, upon any rumor, in appearance well founded, and believed to be true by such husband or wife, of the death of the other (when such other has been absent for two years), shall marry again, he or she shall not be liable to the penalty imposed by this section: Provided further, That the prosecution be instituted within five years from the date of the second form of marriage: Provided also, That upon a conviction under this section the second

marriage shall be declared null and void, and a certificate declaring said marriage null and void shall be given to the injured party by the trial judge.

SECTION 58. Any person who, being unmarried, knowingly participates as a principal in a form of marriage with a married person, which form of marriage would constitute a valid marriage but for the fact that the said other person has a husband or wife living, whether the parties to the second form of marriage cohabit together or not, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both: Provided, That the prosecution be instituted within five years from the date of the second marriage.

SECTION 59. Any person who, having committed bigamy without this Commonwealth, unlawfully cohabits within this Commonwealth with the person with whom such bigamy was committed, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both. Provided, That the prosecution be instituted within five years from the date of the beginning of such cohabitation within this Commonwealth.

SECTION 60. Any man who has sexual intercourse with a woman whom he knows to be the wife of another, and any married man who, knowing himself to be the husband of one woman, has sexual intercourse with any other woman; and any woman who has sexual intercourse with a man whom she knows to be

the husband of another, and any married woman who, knowing herself to be the wife of one man has sexual intercourse with any other man, is guilty of adultery, a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 61. Any person who commits fornication shall be sentenced to pay a fine not exceeding one hundred dollars, to the guardians, directors or overseers of the poor of the city, county or township where the offense was committed, for the use of the poor of such city, county or township; and any single or unmarried woman having a child born of her body, the same shall be sufficient to convict such single or unmarried woman of fornication, and the man by such woman charged to be the father of such bastard child, shall be the reputed father, and she persisting in the said charge, in the time of her extremity of labor or afterwards in open court upon the trial of such person so charged, the same shall be given in evidence, in order to convict such person of fornication; and such person being thereof convicted, shall be sentenced, in addition to the fine aforesaid, to pay the expenses incurred at the birth of such child, and to give security, by one or more sureties, and in such sum as the court shall direct, to the guardians, directors or overseers of the poor of the city, county or township where such child was born, to perform such order for the maintenance of the said child, as the court before which such conviction is had shall direct and appoint.

SECTION 62. Any man who marries or carnally knows any of the following persons when the same is

related to him by consanguinity, viz.: his mother his aunt, his sister, his daughter, the daughter of his son or daughter; or any of the following persons when the same is related to him by affinity, viz.: his father's wife, his son's wife, his son's daughter, his wife's daughter, or the daughter of his wife's son or daughter, knowing at the time of such relationship; and any woman who marries or carnally knows any of the following persons when the same is related to her by consanguinity, viz.: her father, her uncle, her brother, her son, the son of her son or daughter; or any of the following persons when the same is related to her by affinity, viz.: her mother's husband, her daughter's husband, her husband's son or the son of her husband's son or daughter, knowing at the time of such relationship, is guilty of incest, a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both; and any such marriage is hereby declared void.

SECTION 63. Any person who sells, lends, gives away or shows, or offers to sell, lend, give away or show, or has in his possession with intent to sell, lend, give away or show, or advertises in any manner any obscene, lewd, lascivious, filthy, indecent or disgusting book, magazine, pamphlet, newspaper, storypaper, paper, writing, picture, drawing, post-card, photograph, figure, image, or written or printed matter, or any article or instrument of indecent or immoral use, or purporting to be for indecent or immoral use; or who designs, copies, draws, photographs, prints, utters, publishes or in any manner manufactures or prepares any such book, picture, drawing, post-card, magazine,



pamphlet, newspaper, storypaper, paper, writing, figure, image, matter, article, or thing; or who writes, prints, publishes or utters, or causes to be written, printed, published or uttered, any advertisement or notice of any kind giving information, or gives information orally, directly or indirectly or stating or purporting to do so where, how, of whom or by what means any, or what purports to be any obscene, lewd, lascivious, filthy, indecent or disgusting book, or other matter, article or thing named in this section can be seen, purchased, obtained or had; or who prints, utters, publishes, sells, lends, gives away or shows, or has in his possession with intent to lend, sell, give away or show any book, pamphlet, magazine, postcard, newspaper or other printed paper devoted to the publication of and principally made up of criminal news, police reports, or accounts of criminal deeds, pictures or stories of deeds of bloodshed, lust or crime, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 64. Any person who sells, lends, gives away, or in any manner exhibits or offers to sell, lend or give away, or has in his possession with intent to sell, lend or give away, or advertises for sale, loan or distribution, any instrument or article, or any recipe, drug or medicine for the prevention of conception, or for causing unlawful abortion, or purporting to be for the prevention of conception, or for causing unlawful abortion, or advertises or holds out representations that it can be so used or applied, or any such description as will be calculated to lead another to so use or apply



any such article, recipe, drug, medicine, or instrument; or who writes or prints a card, circular, pamphlet, advertisement or notice of any kind, or gives information orally stating when, where, how, of whom or by what means such an instrument, article, recipe, drug or medicine can be purchased or obtained; or who manufactures any such instrument, article, recipe, drug or medicine, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both: Provided, That nothing in this section shall apply to teaching in regularly chartered medical schools, or to the publication of standard medical books, or to sales made to licensed medical practitioners.

SECTION 65. A magistrate having jurisdiction to issue warrants in criminal cases, upon complaint, supported by oath or affirmation, that any person within his jurisdiction is offending against the provisions of sections sixty-three or sixty-four of this act, shall, upon probable cause, issue a warrant directed to the sheriff or to a constable, marshal or police officer within the county, directing him to search for, seize and take possession of any of the articles specified in said sections of this act in the possession of the person against whom complaint is made. The magistrate must immediately transmit every article seized by virtue of the warrant to the district attorney of the county, who must, upon the conviction of the person from whose possession the same was taken, cause it to be destroyed and the fact of such destruction to be entered upon the records of the court in which the conviction is had.

SECTION 66. Any person who advertises by circular, poster, or otherwise any indecent, lewd, or immoral show, play or representation; or who in a public place, or on a fence or wall, or other surface contiguous to the public street or highway, or in or on any hotel, inn, or tavern, court house, church, school, station house, depot for freight or passengers, or other building devoted or open to other or like public uses, or on the wall of any outbuilding, or other structure pertaining thereto, makes or exposes, places, displays, posts up, or exhibits any obscene, lewd, indecent, or immoral drawing, picture, writing or print liable to be seen by others passing or coming near the same; or who knowingly permits the same to be made, exposed, placed, displayed, posted or exhibited on property owned or controlled by him, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 67. Any owner, lessee or occupier, or person in control of any building, tent or premises, lot, park or common, who permits within said building or tent or on said premises, lot, park or common, any dramatic, theatrical, operatic, vaudeville, fixed or moving pictures, or other exhibition of a lascivious, sacrilegious, obscene, indecent or immoral character or such as tend to corrupt morals; and any person who gives or participates in any such exhibition, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 68. Any person who prints, publishes, delivers, distributes, posts or displays, or permits to be posted or displayed or to remain on or in any building, premises, windows or other surfaces owned or controlled by him, any advertisement advertising himself or another as treating or being engaged in the business or profession of treating diseases of the generative organs; or who prints, publishes, delivers or distributes any advertisement concerning a venereal disease, lost manhood, lost vitality, impotency, sexual weakness, seminal emissions, varicocele, self-abuse, excessive sexual indulgence or a disease peculiar to females, or of any medicine, drug, nostrum or apparatus for the alleviation or cure of a venereal disease, lost manhood, lost vitality, impotency, sexual weakness, seminal emissions, varicocele, self-abuse, excessive indulgence or diseases peculiar to females, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both: Provided, That this section shall not apply to advertisements or notices issued by an incorporated hospital of this Commonwealth or by a licensed dispensary or by a municipal board or department of health or by a recognized agency of government or by a reputable medical authority in a medical journal.

SECTION 69. Any person who under promise of marriage or by means of a fraudulent representation that he is married to her, seduces and carnally knows any unmarried female of good repute, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both: Provided, That the promise of mar-

riage shall not be deemed to be established unless the testimony of the female seduced is corroborated by other evidence: Provided further, That the subsequent intermarriage of the parties, or the lapse of two years after the commission of the offense before the finding of an indictment, shall be a bar to prosecution under this section.

SECTION 70. Any person over sixteen years of age who takes indecent liberties with a child under the age of sixteen years, with or without its consent, is guilty of a misdemeanor and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 71. Any person who takes, receives, employs or harbors a female under the age of sixteen years, for the purpose of prostitution or sexual intercourse or, without the consent of her father, mother, guardian or other person having legal custody of the person, takes or receives such female for the purpose of marriage; or who inveigles or entices such minor female into a house of ill-fame or of assignation or elsewhere, for the purpose of prostitution or sexual intercourse, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 72. Any person who keeps or maintains a common, ill-governed and disorderly house, to the encouragement of idleness, gaming, drinking or other misbehavior, to the common nuisance and disturbance of the neighborhood or of orderly citizens; or who

being the landlord, lessor, tenant, occupier or person in control of any house, knowingly permits such house or any part thereof to be let or used as such disorderly house, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars, or both

SECTION 73. Any person who keeps or maintains a bawdy house, or place for the practice of fornication; or knowingly lets or demises a house or part thereof, to be so kept; or who being the landlord, tenant, occupier or person in control of any house, knowingly permits such house or any part thereof to be used as a bawdy house or place for the practice of fornication, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both.

SECTION 74. Any person who commits prostitution or assignation, or aids or abets prostitution or assignation, or who uses any place, building or conveyance for the purpose of prostitution or assignation, or who permits any place or building owned by him or under his control to be used for the purposes of prostitution or assignation, knowing or having reasonable cause to know that the same is so used, or who directs, takes or transports, or offers or agrees to direct, take or transport any person to any place or building with knowledge that the purpose of such directing, taking or transporting is prostitution or assignation, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.



SECTION 75. Any person who procures a female inmate for a house of prostitution; or who induces, persuades, encourages, inveigles or entices a female person to become a prostitute; or who by promises, threats, violence, or by any device or scheme causes, induces, persuades, encourages, takes, places, harbors, inveigles or entices a female person to become an inmate of a house of prostitution, or assignation place, or any place where prostitution is practiced, encouraged or allowed; or who by promises, threats, violence, or by any device or scheme, causes, induces, persuades, encourages, inveigles or entices an inmate of a house of prostitution or a place of assignation to remain therein as such inmate; or who by threats, violence, or by any device or scheme, by fraud or artifice or by duress of person or goods, or by abuse of any position of confidence or authority, or having legal charge, takes, places, harbors, inveigles, entices, or procures any female person to enter any place in which prostitution is practiced, encouraged or allowed, for the purpose of prostitution; or who by force, fraud, intimidation or threats, places or leaves, or procures any other person to place or leave his wife in a house of prostitution; or who inveigles, entices or procures any female person to come into this Commonwealth or to leave this Commonwealth for the purpose of prostitution; or who takes or detains a female, with the intent to compel her by force, threats, menace, or duress to marry him or to marry any other person; or who receives or gives, or agrees to receive or give, any money or thing of value, for procuring or attempting to procure, any female person to become a prostitute or to come into this Commonwealth or to leave this Com-



monwealth for the purpose of prostitution, is guilty of pandering, a felony, and shall be imprisoned not exceeding ten years, or fined not exceeding five thousand dollars, or both.

SECTION 76. Any person who knowingly demands, accepts, receives, levies or appropriates any money or property without legal consideration, from the proceeds of the earning of any woman engaged in prostitution, is guilty of a felony and shall be imprisoned not exceeding ten years, or fined not exceeding five thousand dollars, or both. Any such acceptance, receipt, levy or appropriation of such property shall, upon any proceeding or trial for violation of this section, be evidence of lack of consideration.

SECTION 77. Any person who attempts to detain any female person in a disorderly house or house of prostitution, because of any debt she has contracted, or is said to have contracted, while living in said house, is guilty of a felony, and shall be imprisoned not exceeding ten years, or fined not exceeding five thousand dollars, or both.

SECTION 78. Any person who knowingly transports or obtains transportation for, by any means of conveyance, into, through, or across this Commonwealth, any female person for the purpose of prostitution, or with the intent and purpose to induce, entice or compel such female person to become a prostitute, is guilty of a felony, and shall be imprisoned not exceeding ten years, or fined not exceeding five thousand dollars, or both.

Any person who commits the offense in this section provided against may be prosecuted, indicted, tried and convicted in any county in or through which he shall so transport, or attempt to transport any female person, as aforesaid: Provided, That no person shall be convicted in more than one county for the same act of transportation.

SECTION 79. It shall not be a defense to a prosecution for any of the acts prohibited in sections seventy-five and seventy-eight of this act, that any part of such act was committed outside of this Commonwealth; and the offense shall in such case, be deemed and alleged to have been committed, and the offender may be tried and punished, in any county in which the prostitution was intended to be practiced, or in which the offense was consummated, or in which any overt act in furtherance of the offense was committed: Provided, That no person shall be convicted in more than one county for the same act.

SECTION 80. Any person having authority over a minor, who, for any purpose other than those specified in sections seventy-five, seventy-seven and seventy-eight of this act, knowingly takes or sends, or causes or permits such minor to be taken or sent to, or to be or remain in any house of prostitution or assignation, or reputed house of prostitution or assignation, or other immoral place of resort or amusement, or in any place where opium or any preparation thereof is smoked, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both.

Any provision of law prohibiting the disclosure of confidential communications between husband and wife shall not apply to prosecution for offenses provided against in sections seventy-five to eighty, both inclusive, of this act, and in the trial of all such offenses the wife shall be a competent witness against the husband.

SECTION 81. Any male person having no apparent trade, occupation or business, or being without any means of subsistence, who stays, frequents or loiters in or about any bawdy house, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 82. Any person who in a public place wilfully does any act of lewdness or indecency which has a tendency to debauch the morals or manners of the people, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 83. Any person who exhibits for a pecuniary consideration any insane, idiotic, imbecile or deformed person, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 84. Any person who unlawfully opens any tomb, vault, grave, mausoleum or other place of burial and removes therefrom the body or remains, or part thereof, of any human being; or who unlaw-

fully removes the dead body or remains, or part thereof, of any human being from any place where the same has been deposited awaiting burial; or who unlawfully sells or buys or has in his possession with intent to sell the dead body or remains, or part thereof, of any human being, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

## TITLE V.—OFFENSES AGAINST PUBLIC POLICY, ECONOMY AND HEALTH.

SECTION 85. A lottery is hereby declared to be a common nuisance, and any grant, bargain, sale, conveyance or transfer of any property made in pursuance of any lottery is hereby declared to be void.

SECTION 86. Any person who erects, sets up, opens, makes or draws any lottery, or is in any way concerned in managing, conducting or carrying on the same; or who being the owner, landlord, tenant, occupier or person in control of any building or premises, knowingly allows such building or premises to be used for the purpose of managing, conducting or carrying on a lottery, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 87. Any person who sells or offers or exposes for sale, or barter or exchanges or gives away or advertises for sale, barter, exchange or gift, any lottery ticket or share or part thereof or any lot-

tery policy or any writing, certificate, bill, token or other device purporting or intending to entitle, or represented as entitling the holder or bearer, or any other person, to any prize to be drawn in any lottery, or any part of such prize or any interest therein, whether such lottery be promoted, managed or drawn in this or any other State or country, and whether such lottery be lawful in the State or country in which it is drawn, or not; or who in any newspaper, magazine or periodical owned or controlled by him publishes any advertisement of any lottery ticket, share, policy, writing, certificate, bill, token or device aforesaid, or of any lottery drawing or lottery scheme, or any prospectus, scheme, or other advertisement of any company, association, corporation, partnership, individual conducting, managing or controlling any lottery or acting as agent therefor, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

The purchaser of such ticket, policy or device shall not be liable to any prosecution or penalty, by virtue of this or any other law of the Commonwealth, and shall in all respects be a competent witness to prove the offense.

**SECTION 88.** Any person who keeps or exhibits, sets up, establishes or maintains any game, gaming table, device or apparatus for gambling, or who being the owner, landlord, lessee, tenant, occupant or person in control of any building or premises, knowingly allows to be set up, established or maintained any such game, device or apparatus in such building or



on such premises, or knowingly allows any person to gamble at such game or with such device or apparatus in such building or on such premises; or leases, hires or rents such building or premises to be used for gambling at such game or with such device or apparatus; or who having knowledge that such game, device or apparatus is being maintained in such building or on premises so leased, hired or rented by him, does not immediately report that fact to the proper authority, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 89. Any person who engages in gambling for a livelihood, or who being without any fixed residence, is in the habit or practice of gambling, is a common gambler, and guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 90. Any person who through solicitation, invitation or device induces another to visit any building or place kept for gambling, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both; and in addition shall be civilly responsible, and liable to repay to any person induced by him to enter such gambling place, any property the latter may have lost therein.

SECTION 91. No witness shall be excused, under any allegation or pretense whatsoever, in any prosecution or proceeding for gambling, from giving his

testimony touching the same; but no evidence given, or facts divulged by him, shall be used or employed against him, in any criminal prosecution.

SECTION 92. If an affidavit be made and filed before any magistrate before whom complaint has been made of the commission of any of the crimes provided against in sections eight-six to ninety, both inclusive, of this act, setting forth that the affiant has reason to believe, and does believe, that the person charged in such complaint has upon his person or at any other place named in said affidavit, any gaming table, device or apparatus, the discovery of which might lead to establish the truth of such charge, the said magistrate shall, by his warrant, command the officer, who is authorized to arrest the person so charged, to make diligent search for such table, device or apparatus, and if found, to bring the same before such magistrate; and the officer so seizing shall deliver the same to the magistrate before whom he takes the prisoner, who shall retain possession and be responsible therefor until the discharge, commitment or letting to bail of the person so charged; after which such officer shall retain such table, device or apparatus subject to the order of the court before which such offender may be required to appear, until his discharge or conviction; and in case of the conviction of such person, the gambling table, device or apparatus shall, by the direction of the court, be destroyed; and it shall and may be lawful for any constable, sheriff or other officer of justice, with or without warrant to seize upon, secure and remove any device or machine of any kind, character or description whatsoever. used

or employed for the purpose of unlawful gaming as aforesaid, and to arrest with or without warrant, any person setting up the same; and it shall be the duty of such sheriff, constable or other officer, to make return in writing to the next court of quarter sessions of the proper county, setting forth the nature and description of the device or machine so seized, and the time, place and circumstance under which such seizure was made, and the said court upon hearing the parties, if they should appear, if satisfied that such device or machine was employed and used for the purpose of unlawful gaming as aforesaid, shall adjudge the same forfeited, and order it to be publicly destroyed, and at the same time order reasonable costs and charges to the seizing officer to be paid by the owner or possessor of such device or machine, or in case of his default, or in case he cannot be found, to be paid as costs are now by law paid on indictment; and such adjudication shall be conclusive evidence to establish the legality of such seizure in any court of this Commonwealth, in any cause in which the question of its legality shall arise; no writ of replevin shall issue for any device or machine seized as aforesaid, nor shall any action be instituted for or on account of such seizure, until the court shall have first adjudicated upon the premises; but such writ or action shall forthwith, on motion, be quashed and abated by the court in which it shall be sued or brought.

SECTION 93. Any person who engages in pool selling or book-making or who occupies any building or place with books, apparatus, or paraphernalia for

the purpose of recording or registering bets or wagers, or of selling pool, or who shall record or register bets or wagers, or sell pools upon the result of any political nomination, appointment or election, or who being the owner or lessee, occupant or person in control of any building, knowingly permits the same to be used or occupied for any of these purposes, or therein keeps, exhibits or employs any device or apparatus for the purpose of recording or registering such bets or wagers or the selling of such pools, or becomes the custodian or depositary for gain, hire or reward of any property staked, wagered or pledged, or to be wagered or pledged, upon any such result; or who receives, registers, records, forwards or purports or pretends to forward, to or for any race course any property, bet or wager of money, thing or consideration offered for the purpose of being bet or wagered upon the speed or endurance of any man or beast, or occupies any place or building with books, papers, apparatus or paraphernalia, for the purpose of receiving or pretending to receive, or for recording or registering or for forwarding or pretending or attempting to forward in any manner whatever, any property bet or wagered, or to be bet or wagered for any person, or receives or offers to receive any property bet or to be bet at any race track, or who assists or abets in any manner in any of the acts forbidden by this section, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 94. Any person who sets up, establishes or maintains or has in his possession with intent to



use any apparatus or device whereby opium or any preparation thereof may be smoked or otherwise used; or who being the owner, landlord, lessee, tenant, occupant or person in control of any building or premises, knowingly allows to be set up, established or maintained any such apparatus or device in such building or on such premises or knowingly allows persons to collect in such building or on such premises for the purpose of smoking or otherwise using opium or any preparation thereof, or leases, hires or rents such building or premises to be used for the purpose of smoking or of otherwise using opium or any preparation thereof; or who having knowledge that opium or a preparation thereof is being so smoked or otherwise used in such building or on such premises, so leased, hired or rented by him, does not immediately report that fact to the proper authority, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 95. Any person who smokes or otherwise uses opium or any preparation thereof, in any building or place set up or established for the purpose of smoking or otherwise using opium or any preparation thereof, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 96. Any person who invites or induces another to visit any building or place kept for the purpose of smoking or otherwise using opium or any preparation thereof, is guilty of a misdemeanor, and



shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 97. If an affidavit be made and filed before any magistrate before whom complaint has been made of the commission of any of the offenses provided against in sections ninety-four, ninety-five and ninety-six of this act, setting forth that the affiant has reason to believe, and does believe, that the person charged in such complaint has, upon his person or at any other place named in said affidavit any opium device, apparatus or instrument, the discovery of which might lead to establish the truth of such charge, the said magistrate shall, by his warrant, command the officer, who is authorized to arrest the person so charged, to make diligent search for such opium device, apparatus or instrument, and if found to bring the same before such magistrate, and the officer so seizing shall deliver the same to the magistrate before whom he takes the prisoner, who shall retain possession and be responsible therefor, until the discharge, commitment or letting to bail of the person so charged, after which such officer shall retain such opium device, apparatus or instrument subject to the order of the court before which such offender may be required to appear, until his discharge or conviction and in case of the conviction of such person, the opium device, apparatus or instrument shall by the direction of the court be destroyed. It shall and may be lawful for any sheriff, constable or other officer of justice, with or without warrant, to seize upon, secure and remove, any opium device, apparatus or instrument of any kind, character or

description whatsoever, used and employed for the purpose of the unlawful smoking of opium or any preparation thereof, or of the unlawful use of opium or any preparation thereof as aforesaid and to arrest with or without warrant, any person using or employing the same, and the said court, upon hearing the parties, if they should appear, if satisfied that such opium device, apparatus or instrument was employed and used for the purpose of the unlawful smoking of opium or any preparation thereof, or of the unlawful use of opium or any preparation thereof as aforesaid, shall adjudge the same forfeited, and order it to be publicly destroyed and at the same time order reasonable costs and charges to the seizing officer, to be paid by the owner or possessor of such opium device, apparatus or instrument, or in case of his default, or in case he cannot be found, to be paid as costs are now by law paid on indictment; and such adjudication shall be conclusive evidence to establish the legality of such seizure in any court of this Commonwealth; in any cause in which the question of its legality shall arise, no writ of replevin shall issue for any opium device, apparatus or instrument seized as aforesaid, nor shall any action be instituted for or on account of such seizure, until the court shall have first adjudicated upon the premises, but such writ or action shall forthwith, on motion be quashed, and abated by the court in which it shall be sued or brought: Provided, That sections ninety-four, ninety-five and ninety-six of this act shall not apply to druggists or physicians, or others engaged in the legitimate use or sale of opium.

SECTION 98. Any person who engages or participates in any prize fight or any fight or pugilistic contest on the result of which any property is wagered, or who is present at such fight, or lays any bet or wager on the result thereof, whether present or not, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both.

SECTION 99. Any person who bets or wagers any money or other property on the result of any boxing, sparring or wrestling match or exhibition, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 100. Any person who shall promote, manage or participate in any athletic contest or exhibition in which a contestant shall take part for more than twelve hours in one calendar day, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 101. Any person who makes a practice of going about from place to place, begging, asking or subsisting upon charity for the purpose of acquiring money or a living, and who shall have no fixed place of residence or lawful occupation in the county or city in which he does such begging, is a tramp, and guilty of a misdemeanor, and shall be imprisoned not exceeding one year.

SECTION 102. Any tramp who shall enter any dwelling house, against the will or without the permission of the owner or occupant thereof, such entry not amounting to an offense under any other section of this act, or shall kindle any fire in the highway or on the land of another or of the Commonwealth without the owner's consent, or shall do or threaten to do any injury to any person or to the real or personal estate of another, such threat or injury not being otherwise provided against in this act, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years. Any act of begging or vagrancy by any person described by section one hundred and one of this act, shall be *prima facie* evidence that the person committing the same is a tramp within the meaning of this act. Any person upon view of any offense described in sections one hundred and one and one hundred and two of this act, may apprehend the offender and take him before a justice of the peace or alderman, whose duty it shall be after hearing the evidence, to discharge or to commit the prisoner for trial, as in the case of other misdemeanors. Sections one hundred and one and one hundred and two of this act shall not apply to any minor under the age of sixteen years, nor to any blind, deaf or dumb person, nor shall it be applicable to any maimed or crippled person who is unable to perform manual labor.

SECTION 103. Any officer of this Commonwealth or of any sub-division thereof who shall loan out otherwise than is provided for by law, with or without interest or return therefor, any money or valuable

security received by him or which may be in his possession or under his control by virtue of his office, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both; and if still in office be adjudged thereafter incapable of exercising the same, and the said office shall be forthwith declared vacant by the court passing sentence.

SECTION 104. Any officer of this Commonwealth, or of any sub-division thereof, who enters into any contract or agreement with any bank, corporation or individual, or association of individuals, by which said officer is to derive any benefit, gain or advantage from the deposit with such bank, corporation or individual, or association, of any money or valuable security, held by him or which may be in his possession, or under his control by virtue of his said office, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both; and if still in office, be adjudged thereafter incapable of exercising the same, and said office shall forthwith be declared vacant by the court passing sentence.

SECTION 105. Any officer of this Commonwealth who authorizes the payment of any money, by warrant or otherwise, out of the State Treasury, except in accordance with the provisions of some Act of Assembly setting forth the amount to be expended and the purpose of the expenditure; or any State Treasurer who pays any money out of the State Treasury, except in accordance with the provisions of some Act



of Assembly setting forth the amount to be expended and the purpose of the expenditure; and any officer of this Commonwealth who authorizes the payment of any money by warrant or otherwise out of the State Treasury; or any State Treasurer who pays any money out of the State Treasury, in excess of the amount thus specifically appropriated, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both: Provided, however. That the provisions of this section shall not be construed to prohibit the Auditor General and State Treasurer of this Commonwealth from returning to any county thereof any money authorized by law to be returned to said counties; or the Auditor General and State Treasurer of this Commonwealth from returning to any city, borough, or township any money received from foreign fire insurance companies authorized by law to be returned to said municipalities.

SECTION 106. Any public officer of this Commonwealth or of any sub-division thereof who has under his control as such officer any moneys collected by law for a special purpose, who applies such moneys to any other purpose than that for which such moneys were collected, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 107. Any public officer of this Commonwealth, or of any sub-division thereof, who purchases or is interested in the purchase of, for any sum less than the amount specified in such warrant, order or

claim, any warrant, order or claim on the Commonwealth, or on any sub-division thereof, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 108. Whenever the debt of any sub-division of this Commonwealth shall have reached the limit provided for by law, it shall be unlawful for such sub-division to increase the same, and all such increase shall be void, and any obligation issued for such increase, or any part thereof, shall be of no binding force upon such sub-division; and each of the officers thereof wilfully authorizing such increase, or wilfully executing any obligation therefor, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 109. Before issuing any such obligation or security, mentioned in section one hundred and eight of this act, it shall be the duty of the principal officer or officers of such sub-division to comply with all the requirements of any statute in force at the time governing the issuance of such obligation or security.

SECTION 110. Any public officer, agent, or employee of this Commonwealth, or of any sub-division thereof, who for private gain, uses, sells or disposes of any property of the Commonwealth, or of any sub-division thereof; or who wilfully uses, injures, sells or disposes of any such property without lawful authority; or who is interested either directly or indirectly, either personally or as a member or officer

of any firm, company or corporation contracting with the Commonwealth, or any sub-division thereof, or any department of such sub-division, for the use, lease, occupation or enjoyment of any of the works, material or property of the Commonwealth, or any sub-division thereof, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both; and forfeits his office or employment and is forever disqualified to hold any office or place of trust, honor or profit under the constitution or laws of this Commonwealth, or under any sub-division of this Commonwealth.

SECTION 111. Any public officer of this Commonwealth, or of any sub-division thereof, or any officer, trustee or member of the board of managers of any public institution receiving appropriations of money from the Commonwealth, who shall be in any wise interested as principal or agent in, or receive any gratuity in connection with, any contract for the sale or furnishing of any property to or for the use of or the construction of or alterations or improvement to any property of the Commonwealth (if he be an officer of the Commonwealth), or of any sub-division thereof (if he be an officer of such sub-division), or of any public institution receiving appropriations of money from the Commonwealth (if he be an officer or member of the board of managers of such institution). is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both; and shall forfeit the office, trusteeship or membership held by him.

SECTION 112. Any cashier of any bank who engages directly or indirectly in the purchase or sale of stock, or in any profession, occupation or calling, other than that of his duty as cashier, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both: Provided, That nothing in this section shall prevent such cashier from managing his own real estate or other private property if such private property be not invested in mercantile, mechanical or manufacturing operations.

SECTION 113. Any public officer of this Commonwealth who becomes the surety of any other public officer of this Commonwealth or of any agent of, or contractor with, the Commonwealth; and any public officer of any sub-division of this Commonwealth who becomes the surety of any other public officer of the same sub-division thereof or of any agent or contractor with such sub-division, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 114. Any director, officer, agent or employee of any canal, railroad or other public service company who shall be in any wise interested as principal or agent in or receive any gratuity in connection with any contract for the sale or furnishing of any property to or for the use of, or the construction of, or alteration or improvement to any property of such company of which he is a director, officer, agent or employee, is guilty of a misdemeanor, and

shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 115. Any officer of any municipal or other corporation, who not being thereunto authorized by law is instrumental in, consents to, or connives at the making or issuing of any note, bill, check, ticket or order, intended to be used as currency, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 116. Any agent, officer or employee of any foreign corporation, or any other person who transacts any business within this Commonwealth for any foreign corporation unless the requirements of the acts of assembly in force at the time governing the transaction of business for foreign corporations in this Commonwealth shall have first been complied with, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 117. Any person who imports or sells any dressed carcass of lamb or sheep without first removing from each and every carcass all hoofs, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 118. Any person owning any cattle or sheep affected by any contagious or infectious disease, who sells or otherwise disposes of such cattle



or sheep, either alive or slaughtered, from the premises where such disease is known to exist, or for a period of two months after such disease shall have disappeared from said premises, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 119. Any person who sells, or offers or exposes for sale, or has in his possession with intent to distribute or sell, any food, drug, preparation or mixture of any kind, intended for internal use, which contains methyl or wood alcohol; or who sells or offers or exposes for sale, or has in his possession with intent to distribute or sell or use upon or apply to the body of another, any drug, hair tonic, bay rum or similar preparation intended for external use, which contains methyl or wood alcohol, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both: Provided, That the provisions of this section shall not apply to a person selling, offering or exposing for sale or having in his possession with intent to sell or distribute any medicated liniments used for external use, or any veterinary remedy containing methyl or wood alcohol when such remedy is plainly and distinctly labeled in such manner as to indicate that it is intended solely for external use on animals.

SECTION 120. Any person who engages in the manufacture or distillation and sale of ethyl alcohol without having first complied with the provisions of the acts of assembly of this Commonwealth in force

at the time, governing the manufacture or distillation and sale of such alcohol, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 121. Any person who exposes in any public place or on the land of another, or on his own land outside of a building, any poison or admixture thereof with intent that the same shall be taken or swallowed by any animal or fowl, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 122. Any person who wilfully poisons or pollutes any spring, well, stream or reservoir of water, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

Any person is hereby authorized to arrest on view any person engaged in any of the acts provided against in this section. The use of any land within one mile of any city for the burial of the dead, the drainage from which land passes into any stream furnishing drinking water to any city, shall be deemed a pollution of such stream within the meaning of this section: Provided, That the provisions of this section shall not apply in the case of land now devoted to burial purposes in which there shall have heretofore been burials and sales of burial lots.

SECTION 123. Any master or commander of any ship arriving from any foreign country, place or port,

at any port, harbor or place within this Commonwealth, who knowingly brings in such ship any person either as a passenger, working hand or otherwise, who has been convicted in any foreign country or place of any offense, which if committed within this Commonwealth would be a felony, with intent to land such person or permit him to land, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 124. Any person who sells or gives away any spirituous or fermented liquor, drug, medicine, poison, opium or other narcotic, to any convict, or in any prison or in any building appurtenant thereto, or on any land employed for the use of benefit of prisoners; or who brings or sends into any prison, or building appurtenant thereto, or on any land employed for the use or benefit of prisoners, any spirituous or fermented liquor, drug, medicine, poison, opium or other narcotic, except the ordinary hospital supply of the prison, without a written permit signed by the physician of such prison, specifying the name of the prisoner or employee for whom, and the time when the same may be furnished, and the quantity and quality of the liquor or narcotic to be furnished, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars. or both.

SECTION 125. Any person, who, not being authorized thereto by law, brings into or conveys out of a prison without the consent of the sheriff, warden,

superintendent, keeper or other person having charge thereof, any money, letter or other article or thing prohibited by law or by the rules of the authorities having charge of such prison, is guilty of a misdemeanor. and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 126. Any person who shall by gift, sale or otherwise, furnish cigars, tobacco, snuff, cigarettes or cigarette papers to any person under the age of twenty-one years shall, on summary conviction, be fined not exceeding two hundred dollars, and pay the costs of prosecution, and in default in the payment of such fine and costs be imprisoned not exceeding three months.

SECTION 127. Any person who sells to any person under the age of twenty-one years any cannon, gun, pistol, revolver or other such deadly weapon, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 128. Any person who manufactures, sells or offers or exposes for sale, or gives away, or has in his possession with intent to sell, any fire cracker or fire work containing picric acid or picrates, dynamite or other high explosives, or manufactures, sells, or offers or exposes for sale, or gives away, or has in his possession with intent to sell, any toy cannon, gun, pistol, revolver or any other such deadly toy weapon; or who manufactures, sells, or offers or ex-

poses for sale, or gives away, or has in his possession with intent to sell, any explosive cane, using blank cartridge, any blank cartridge pistol, any blank cartridge, pellet or tablet composed of dynamite or other high explosive. for use in pistols, hollow canes or any toy for explosive purposes, or who manufactures, sells, or offers or exposes for sale, or gives away, or has in his possession with intent to sell, any fire cracker over six inches in length containing gunpowder, or any other explosive material, or any fire cracker over three and one-half inches in length which is more than three-quarters of an inch in diameter, or any fire cracker over three and one-half inches in length which is more than one inch in diameter, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both; and any person who sets off, fires or makes use of for the purpose of explosion, any of the articles the manufacture of which is provided against in this section, shall, on summary conviction, be fined not exceeding one hundred dollars, and pay the costs of prosecution, and in default in the payment of such fine and costs be imprisoned not exceeding two months.

SECTION 129. Any person who manufactures, sells or offers or exposes for sale, or gives away, or has in his possession with intent to sell, any balloon made or intended to contain in or about it fire for the purpose of ascension, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both; and any person who causes to ascend any such balloon, is



guilty of a misdemeanor, and shall be imprisoned not exceeding two months, or fined not exceeding one hundred dollars, or both: Provided, The provisions of this section shall not apply to a balloon in which a human being ascends.

SECTION 130. Any person other than an institution duly incorporated for the purpose, who shall engage in the business of receiving, boarding or keeping children under the age of three years, for hire or reward, or who shall take or receive for such purpose more than two such children unaccompanied by an adult care taker, without legal commitment, or without first having obtained such license to do so as is required by law, shall, on summary conviction, be fined not exceeding one hundred dollars and the costs of prosecution, and in default in the payment of such fine and costs be imprisoned not exceeding two months.

SECTION 131. Any person who keeps or maintains a building or place for the reception or custody of persons of unsound mind, except as authorized by law; or who confines or detains, or is concerned in the confinement or detention of such person in any other manner or in any other place than as authorized by law, or who is guilty of harsh, cruel or unkind treatment of, or neglect of duty toward any such person under confinement, whether the confinement be lawful or unlawful, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 132. Any person who deals in human beings by trading, bartering, buying or selling such human being, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 133. Any keeper, proprietor, owner or superintendent of any public pool room, billiard room, bowling or tenpin alley, who keeps such pool room, billiard room, bowling or tenpin alley open between the hours of one o'clock ante meridian and six o'clock ante meridian of any morning, or on the first day of the week, commonly called the Sabbath Day; or who knowingly allows or permits any person under the age of eighteen years to be present therein, shall, on summary conviction, be fined not exceeding one hundred dollars and pay the costs of prosecution, and in default in the payment of such fine and costs be imprisoned not exceeding two months.

SECTION 134. Any person whether parent, relative, guardian, employer or other, having in his care, custody, or control, lawful or unlawful, any minor under the age of eighteen years, who apprentices, gives away, lets out, trains, exhibits, hires or otherwise disposes of such minor to any person for the purpose of singing, playing on musical instruments, begging or for any mendicant business whatsoever in the streets, roads or other highways of this Commonwealth; and any person who takes, receives, hires, employs, uses or has in custody any such minor for the vocation, occupation, calling, service or purpose of singing, playing upon musical instruments or beg-

ging upon the streets, roads or highways of this Commonwealth, or for any mendicant business whatever, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 135. Any officer, operator, messenger, agent or other person connected with any telegraph or telephone company, who uses or divulges the contents, or the purport of the contents, of any message or conversation which may be sent by, filed for transmission with, or received by such company for transmission, without the consent either of the party sending or filing such message or conversation, or of the party to whom such message or conversation was sent, or who intentionally suppresses, alters, adds to, or unreasonably delays the transmission or delivery of such message or conversation, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both: Provided, That the provisions of this section shall not apply to the publication at any point of any dispatch of a public nature sent with a view to general publicity.

SECTION 136. Any person who knowingly purchases or receives in pawn or pledge, any arm, accoutrement, equipment, article of military clothing, tent or fly, or any quartermaster, medical, engineer, or signal property, or ordnance or ordnance stores, the property of this Commonwealth, or of the United States in use by the Commonwealth, is guilty of a misdemeanor, and shall be imprisoned not exceeding one

year, or fined not exceeding five hundred dollars, or both.

SECTION 137. Any person being the owner, lessee, manager, employee, or person in control of any theatre or other public place of entertainment or amusement, or of any hotel, restaurant, railroad, street railway or omnibus line, who refuses to admit to or accommodate in or ejects from such theatre or other place of amusement, hotel or restaurant, or refuses to convey or accommodate on or ejects from such railroad, street railway or omnibus line, any person on account of race or color, or because he wears the uniform of the United States, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 138. Any life insurance company doing business in this Commonwealth or any agent of such company, who makes or permits any distinction or discrimination in favor of individuals between insureds of the same class and equal expectations of life, in the amount or payment of premiums or rates charged for policies of life or endowment insurance, or in the dividends or other benefits payable thereon or in any other of the terms and conditions of the contracts it makes; and any such company or its agent who makes any contract of insurance or agreement as to such contract, other than as plainly expressed in the policy issued thereon, or pays, or allows or offers to pay or allows as inducements to insurance, any rebate of premium payable on the policy, or any special favor or advantage in the divi-



dends or other benefit to accrue thereon, or any valuable consideration or inducement whatever not specified in the policy contract of insurance; and any insurant who receives as an inducement to insurance any rebate of premium payable on the policy, or any special favor or advantage in the dividend or other benefit to accrue thereon, or any valuable consideration or inducement whatever not specified in the policy contract of insurance, is guilty of a misdemeanor, and shall be fined not exceeding five hundred dollars for each and every violation of this section where the amount of insurance is twenty-five thousand dollars or less, and for every additional twenty-five thousand dollars insurance or less shall be fined an additional penalty not exceeding five hundred dollars, and the offender, if an agent, shall be disqualified from acting as life insurance agent for the period of three years thereafter.

**SECTION 139.** Any person who erects, sets up, establishes, maintains, keeps up or continues any public or common nuisance, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both; and where the said nuisance shall be in existence at the time of the conviction and sentence, it shall be lawful for the court in its discretion, to direct either the defendant or the sheriff of the proper county, at the expense of the defendant, to abate the same: Provided, That all obstructions to private roads laid out according to law, shall be nuisances, which would be nuisances in cases of obstructions to public roads or highways.



SECTION 140. Any person who distributes any free or trial sample or parcel of any candy, medicine, drug, chemical or chemical compound in or upon any building or in or upon any yard, lawn, land, street, sidewalk, letter box or public highway or in any other manner that a child may get possession of the same from such place, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 141. Any person who throws waste paper, sweepings, ashes, household waste, glass, nails or rubbish of any kind into any street in any city, borough or township, or who interferes with, scatters or disturbs the contents of any receptacle containing ashes, garbage, household waste or rubbish. placed upon any of said paved streets or sidewalks for the collection of the contents thereof, shall, on summary conviction, be fined not exceeding ten dollars and the costs of prosecution, and in default in the payment of such fine and costs be imprisoned not exceeding ten days.

SECTION 142. Any person who enters into or upon any railroad train, street car or other conveyance used to carry freight or passengers, having in his possession, custody or about his person any nitroglycerin, dynamite or other high explosive, or carries or causes to be carried other than as freight regularly shipped as such, such substance upon any railroad train, street car or other conveyance, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 143. The conductor or person having charge and control of any railroad train, street car or other conveyance for the carriage of freight or passengers, shall have power to arrest any person found violating the provisions of section one hundred and forty-two of this act and to detain such person until reaching some place where such person may be delivered to a constable or other police authority, and it shall be lawful to prosecute such offender in any county through which said public conveyance passes, without reference to the place where such offender was arrested.

SECTION 144. Any person who knowingly delivers for transportation to any canal, railroad, steamboat, express or other transportation company, or to any person engaged in the business of transportation, any nitroglycerin, dualin, dynamite, gunpowder, mining or blasting powder, guncotton, phosphorus or other explosive material, dangerous to life or limb, under any false or deceptive invoice or description, or without informing such company or person in writing at or before the time when such delivery is made of the true nature of such explosive material, and without having the keg, barrel, can or package containing the same plainly marked with the name of the explosive material therein contained together with the words "dangerous article," is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both; and shall be responsible for all damages to persons and property directly or indirectly resulting from the explosion or combustion of any such article.

SECTION 145. The master of any vessel who anchors his vessel on the range line of any range lights established by the authority of the United States in this Commonwealth, is guilty of a misdemeanor, and shall be fined not exceeding fifty dollars.

SECTION 146. Any person who, being under the influence of intoxicating liquor or drugs, rides or drives or handles any animal on the public highway, is guilty of a misdemeanor, and shall, on summary conviction, be fined not exceeding one hundred dollars and pay the costs of prosecution, and in default in the payment of such fine and costs be imprisoned not exceeding two months.

SECTION 147. Any person who, being under the influence of intoxicating liquor or drugs, engages in hunting with gun, pistol, rifle or other firearm any bird or animal, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 148. Any person who performs the marriage ceremony between parties when to the knowledge or belief of such person either of the said parties is intoxicated, or is insane, or is an idiot, or a lunatic, or is under the age of consent, or under a legal impediment to marry, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 149. Any person who directly or indirectly demands or solicits from any public officer

or employee of this Commonwealth or of any subdivision thereof any assessment upon the salary of such officer for any political or party purpose; and any officer of this Commonwealth or of any subdivision thereof who knowingly permits any assessment to be made on the salary of any officer appointed by or holding office under him, or knowingly permits any demand or solicitation by such officer for the payment or gift of money or property for any political or party purpose, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 150. Any officer, agent or employee of any employer of labor, who solicits, demands or receives directly or indirectly, from any person any money or property for the purpose, actual or alleged, of either obtaining for the latter employment in the service of said employer or of the continuing by the party so paying or solicited in said employment, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 151. Any person who offers or gives to any agent, employe, or servant of another, or to a member of his family, or to any one for his use or benefit, any commission or property, without the knowledge and consent of the principal, employer, or master, as an inducement, bribe or reward for doing or omitting to do any act, or for showing or forbearing to show any favor or disfavor by such agent, employe, or servant in relation to the affairs or business of his principal, employer or master; and any agent, em-

ploye or servant who solicits or receives, or agrees to receive, any property as an inducement, bribe or reward for doing or omitting to do any act, or for showing any favor or disfavor in relation to the affairs or business of his principal, employer or master, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both. Provided, however, that nothing contained in this section shall apply to transactions between a principal, employer or master and his agent, employe or servant. This section shall not be construed to prohibit the practice commonly called "tipping."

SECTION 152. Any person who uses or gives to an agent, employe or servant of another; and any agent, employe or servant who uses, approves or certifies, with intent to deceive the principal, employer or master, any receipt, account, invoice or other document in respect of which the principal, employer or master is interested, which contains any statement which is false, erroneous or defective in any material particular, or which omits to state fully the fact of any commission, or property, having been given, or agreed to be given, to such agent, employe or servant, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both. This section shall not be construed to prohibit the practice commonly called "tipping."

SECTION 153. Any person who gives any commonly recognized alarm of fire, knowing the same to be false, is guilty of a misdemeanor, and shall be im-



prisoned not exceeding two years, or fined not exceeding five hundred dollars, or both.

SECTION 154. Any person, except a person connected with a duly constituted fire department, who drives at an excessive rate of speed to any fire, or who races with any fire apparatus to any fire; or who parks any motor or other vehicle within one thousand feet, on the same street, of any fire, other than such motor or other vehicle as may belong to any fire department, or as may be used by any person connected with any fire department; or any person who drives any motor or other vehicle over any line of hose which for the time being is being used in the extinguishment of any fire; or who upon hearing the approach of any fire apparatus does not immediately bring his motor or other vehicle to a stop on his right hand side of the road or stand and remain standing there until such apparatus has passed, shall, upon summary conviction, be sentenced to pay a fine not exceeding twenty-five dollars and the costs of prosecution, and in default in the payment of such fine and costs, be imprisoned not exceeding fifteen days. Provided, That this section shall not apply to any ambulance or police patrol, nor shall any person be held to have violated the provisions with regard to parking if the act of parking was done prior to such person's knowledge of the existence of the fire.

SECTION 155. Any public officer of this Commonwealth or of any sub-division thereof, or any other person, association, company or corporation who shall employ or appoint as a special deputy, marshal or policeman to preserve the public peace or prevent

or quell disturbances, a person who is not at the time of such employment or appointment a citizen of this Commonwealth, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both: Provided, That if any company or association be convicted under this section it shall be sentenced to pay a fine not exceeding five thousand dollars: Provided further, That the provisions of this section shall not apply to the employment or appointment of policemen, constables or specials employed or appointed by municipalities for municipal purposes.

SECTION 156. Any person having the possession, custody or control of the commission or discharge paper of any person who is or was an officer, soldier, sailor or marine of the United States army or navy, who withholds such paper from the party named in such commission or discharge after demand thereof by such party, or who wilfully destroys or mutilates such commission or discharge to the prejudice of the owner thereof, or delivers the same to any person other than the party named therein without the written request of such party, is guilty of a misdemeanor, and shall person other than the widow or legal representative of such party, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 157. Any person who charges or collects any fee or other compensation for assisting, in any manner, a veteran in obtaining any of the benefits to which he is entitled under the provisions of the World War Veterans' Compensation Act of this Com-

monwealth, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both. Provided, that this section shall not apply to the fees authorized by law that may be collected by a notary public or other officer having power to administer oaths, for necessary affidavits required under said act.

SECTION 158. Any locomotive engineer or other railroad employee upon any railroad within this Commonwealth who being engaged in any strike, or who with intent to incite others to a strike, or who in furtherance of any combination or preconcerted arrangement with any other person to bring about or maintain a strike, abandons the locomotive engine in his charge when such engine is attached to either a passenger or freight train, at any place other than the schedule or otherwise appointed destination of such train, or refuses or neglects to continue to discharge his duty, or to proceed with said train to the place of destination as aforesaid, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding two hundred dollars, or both.

SECTION 159. Any railroad employee within this Commonwealth who with intent to further the object of or to lend aid to any strike organized or attempted to be maintained on any other railroad, either within or without this Commonwealth, refuses or neglects in the course of his employment, to aid in the movement over the tracks of the company employing him, of the cars of such other railroad company, received therefrom in the course of transit, is guilty of a mis-

demeanor, and shall be imprisoned not exceeding six months, or fined not exceeding two hundred dollars, or both.

SECTION 160. Any person who in aid or furtherance of the object of any strike upon any railroad, interferes with, molests or obstructs any railroad employee engaged in the discharge of his duty as such employee, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding two hundred dollars, or both.

SECTION 161. Any person not being authorized by law to sell tickets or other evidences of the holder's right to travel on a common carrier, who sells or transfers for any consideration the whole or any part of any ticket, pass or other evidence of the holder's title or right to travel on any common carrier whether the same be situated, operated or owned within or without the limits of this Commonwealth, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 162. Any person who enters upon the practice of medicine, surgery, osteopathy, dentistry, architecture or other profession without having first been licensed to enter upon the practice of the profession upon which he enters, when such license is required by an act of assembly of this Commonwealth in force at the time, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.



SECTION 163. Any person who signs a diploma or other written instrument purporting to confer or to be evidence of the conferring of an academic degree, honorary or other, by any university, college or other institution incorporated under the laws of this Commonwealth, knowing that the consideration for the conferring of such degree is the payment or promise of payment by any person of any money or other property, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 164. Any person who wilfully makes any false statement in an application for a permit or license to do any act or engage in any business or occupation, or in the practice of any profession, where a permit or license is required by law to entitle such person to do the act or engage in the business or occupation, or practice the profession, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 165. Any person, company or corporation negotiating or soliciting in this Commonwealth any contract of insurance or effecting an insurance or pretending to effect the same, or receiving and transmitting any offer of insurance, or receiving or delivering any policy of insurance, or in any manner transacting or aiding in the transaction of the business of insurance, without having first complied with the provisions of the acts of assembly of this Commonwealth in force at the time regulating the transaction of the business of the character of insurance



so transacted, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 166. Any person who offers or gives any money or property to the owner or holder of capital stock of any insurance company, or to a member of any mutual insurance company, incorporated under the laws of this Commonwealth, with intent to secure the voting proxy of any share of such capital stock or of any member, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both; and no proxy so obtained shall be voted at any stockholders' or members' meeting of any insurance company incorporated under the laws of this Commonwealth.

SECTION 167. Any person who represents or advertises himself as the agent of any fictitious or spurious insurance company, or of any insurance company domiciled in any other State or country, which company has not complied with the laws of this Commonwealth, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 168. Any person who engages in the sale of steamship tickets or orders for transportation, or advertises or holds himself out as authorized or entitled to sell such tickets or orders, without having first complied with the provisions of the acts of assembly of this Commonwealth in force at the time regulating the selling of such tickets or orders, is guilty of a misdemeanor, and shall be imprisoned not

exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 169. Any person who engages in the business of a detective for hire or reward, or who advertises his business to be that of a detective or of conducting a detective agency, without having first complied with the provisions of the acts of assembly of this Commonwealth in force at the time, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 170. Any person who conducts any business under an assumed or fictitious name, style or designation, without having first complied with the provisions of the acts of assembly of this Commonwealth in force at the time governing the conduct of business under an assumed or fictitious name, style or designation, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 171. Any person who offers or gives a bribe to any participant in any athletic contest, game or event to so conduct himself as to bring about or assist in bringing about his defeat or the defeat of his team in such contest, game or event, and any person who influences or attempts to influence any participant in any athletic contest, game or event to so conduct himself as to bring about or assist in bringing about his defeat or the defeat of his team, is guilty of a misdemeanor and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

## TITLE VI.—OFFENSES AGAINST THE PERSON.

SECTION 172. Any person who commits murder by means of poison or by lying in wait, or by any other kind of wilful, deliberate and premeditated killing, or who commits murder in the perpetration of, or attempt to perpetrate any arson, rape, robbery, burglary, or kidnapping, or who causes the death of another by any of the acts provided against in section two hundred and seventy-one of this act when done with any of the intents mentioned in said section, is guilty of murder of the first degree; and any person who commits any other kind of murder is guilty of murder of the second degree; and the jury before whom any person indicted for murder is tried, shall, if they find such person guilty thereof, ascertain in their verdict whether it be murder of the first or second degree; but if such person is convicted by confession, the court shall proceed by examination of witnesses to determine the degree of the crime, and to give sentence accordingly.

SECTION 173. Any person convicted of the offense of murder of the first degree is guilty of a felony, and shall be sentenced to suffer death by electrocution; and it shall be the duty of the clerk of the court wherein such conviction takes place, and he is hereby required, to transmit to the Governor of the Commonwealth and the Board of Pardons of the Commonwealth a full and complete transcript of the record of such trial and conviction within thirty days after sentence, or, in the event of an appeal, within twenty

days after the final disposal of the cause upon such appeal.

SECTION 174. Any person convicted of the offense of murder of the second degree is guilty of a felony, and shall, for the first offense, be imprisoned not exceeding twenty years, and fined not exceeding ten thousand dollars, or both, and for the second offense shall be imprisoned for life and fined not exceeding ten thousand dollars.

SECTION 175. The offense formerly known as petit treason is hereby declared to be murder.

SECTION 176. If any person participates in any mob or riotous assemblage of persons by which any person is killed; or if any person participates in the taking of another from the legal custody of any officer, or person lawfully assisting such officer, and such person so taken is unlawfully killed before he shall have been returned or retaken into legal custody; such person participating in such mob or riotous assemblage, and such person participating in such unlawful taking is guilty of murder.

SECTION 177. Any person who commits voluntary manslaughter is guilty of a felony, and shall be imprisoned not exceeding twelve years, and fined not exceeding six thousand dollars.

SECTION 178. Any person who commits involuntary manslaughter is guilty of a felony, and shall be imprisoned not exceeding five years, and fined not exceeding two thousand dollars.

SECTION 179. It shall be no defense to a charge of murder or manslaughter that the person killed by the defendant did not die within a year and a day from the time of the act or omission which caused his death.

SECTION 180. Any person who wilfully and maliciously maims, or does serious bodily injury or disfigurement to another, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 181. Any person who assaults another or who wilfully and maliciously does bodily injury or disfigurement to another, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both.

SECTION 182. Any person who unlawfully assaults another with intent to kill the said other, is guilty of a felony, and shall be imprisoned not exceeding seven years, or fined not exceeding three thousand dollars, or both.

SECTION 183. Any person who wantonly or playfully points or discharges a gun, pistol or other firearm at any other person is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 184. Any person who administers to another any stupefying or overpowering drug, narcotic or anaesthetic agent with intent to enable such



offender or any other person to commit, or with intent to assist such offender or other person in committing any felony, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 185. Any person who unlawfully and intentionally causes the miscarriage of a woman, is guilty of abortion, a felony, and shall be imprisoned not exceeding five years or fined not exceeding three thousand dollars, or both.

SECTION 186. Any person who unlawfully administers to, or advises or prescribes for, any woman, pregnant, or believed to be, but not pregnant, any drug, poison, or other substance, or unlawfully uses, or advises or prescribes the use of, any instrument or other means with intent to procure the miscarriage of such woman, and thereby causes the death of such woman, or of a child of which she may be quick, is guilty of a felony, and shall be imprisoned not exceeding ten years, or fined not exceeding six thousand dollars, or both.

SECTION 187. Any person who unlawfully administers to or advises or prescribes for any woman believed to be, but not, pregnant, any drug, poison, or other substance, or unlawfully uses, or advises or prescribes the use of any instrument or other means to procure the miscarriage of such woman, with intent to procure such miscarriage, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 188. Any person who endeavors to conceal the birth of a child by any disposition of the dead body of such child, whether the child died before, during, or after its birth, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 189. Any parent or other person having the care or custody of any child under the age of seven years, who deserts such child in any place with intent wholly to abandon it, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 190. Any parent or other person charged with the care or custody for nurture or education of any child under the age of sixteen years, who abandons such child in destitute circumstances, or wilfully omits to furnish necessary and proper food, clothing, shelter and care for such child, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both; and any provision of law prohibiting the disclosure of confidential communications between husband and wife shall not apply in prosecutions under this section.

SECTION 191. Any person who wilfully and without lawful excuse separates himself from his wife, or from his child, if such child be under the age of sixteen years, or wilfully and without lawful excuse refuses or neglects to maintain such wife or child, such wife or child being destitute or being dependent

wholly or in part on their earnings or the earnings of either of them for adequate support; and any person of full age who wilfully and without lawful excuse neglects to maintain his parent, said parent being unable to maintain himself, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both; such fine to be applied in whole or in part to the support of the wife, child or parent, as the court may direct.

SECTION 192. Any parent of a bastard child, whether such child was begotten or born within or without this Commonwealth, who wilfully neglects or refuses to maintain such child, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 193. Any person who has unlawful carnal knowledge of a woman, forcibly and against her will; or who has unlawful carnal knowledge of an idiot, or of a woman so imbecile, insane, drugged or intoxicated as not to be conscious of the nature of the act that is done to her; or who has unlawful carnal knowledge of a woman by personating her husband; or, who being over the age of sixteen years, has unlawful carnal knowledge of any woman child under the age of sixteen years, with or without her consent, is guilty of rape, a felony, and shall be imprisoned not exceeding fifteen years, or fined not exceeding seven thousand dollars, or both; carnal knowledge shall be deemed complete upon proof of penetration: Provided, That upon the trial of any person charged with unlawful carnal knowledge of a woman child

under the age of sixteen years, if the jury shall find that such woman child was not of good repute, and that the carnal knowledge was with her consent, the defendant shall be acquitted of rape and convicted of fornication.

SECTION 194. Any person who takes or carries away, or decoys or entices away, or secrets or harbors or detains any person with intent to extort any money or other property, or to aid another in extorting any money or other property for the restoration of such person, is guilty of kidnapping, a felony, and shall be imprisoned for life, or for any term of years, or fined not exceeding ten thousand dollars, or both.

SECTION 195. Any person who unlawfully takes or carries away, or decoys, or entices away or secrets or detains any other person against his will, or, if such other person be a child under the age of fourteen years, or a fugitive from the justice of another State or country arrested in this Commonwealth for extradition, with or without his voluntary consent, with any intent other than that specified in Section one hundred and ninety-four of this act, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 196. Any person who, while driving or operating any vehicle, injures another person, and knowing such injury to have been inflicted, does not forthwith stop said vehicle and render such aid to the person injured as may be necessary and possible under the circumstances, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

**TITLE VII.—OFFENSES AGAINST PERSONAL  
PROPERTY, AND FRAUDULENT DEALING  
THEREWITH.**

**SECTION 197.** Any person who commits robbery is guilty of a felony, and shall be imprisoned not exceeding ten years, or fined not exceeding five thousand dollars, or both.

**SECTION 198.** Any person who, being armed with an offensive weapon, or being aided by an accomplice actually present, commits robbery; or who in the commission of robbery or immediately before or thereafter, inflicts bodily harm on the person robbed, is guilty of a felony, and shall be imprisoned not exceeding twenty years, or fined not exceeding ten thousand dollars, or both.

**SECTION 199.** Any person who obtains any property from another or procures the doing of any act by another person against such other person's will, by any oral threat, or by any written communication, knowing the contents thereof, containing a threat, that either the defendant or another will accuse the person to whom the threat or communication is made or any other person, of an offense, or will impute to any such person any disease, deformity or disgrace, or will kidnap or imprison any such person unlawfully, or will unlawfully injure the person, property, reputation or business of any such person, is guilty of a felony, and shall be imprisoned not exceeding fifteen years, or fined not exceeding seven thousand dollars, or both.



SECTION 200. Any person who commits larceny of any property; or who, with intent to defraud, obtains any property from another by any false pretense; or who, having in his possession, custody or control any property of another, shall, with intent to deprive the owner thereof, fraudulently convert or secrete such property, is guilty of stealing, a felony, and shall be imprisoned not exceeding seven years, or fined not exceeding three thousand dollars, or both.

SECTION 201. Any person who steals any property from the person of another, is guilty of a felony, and shall be imprisoned not exceeding eight years, or fined not exceeding four thousand dollars, or both.

SECTION 202. Any public officer of this Commonwealth, or of any sub-division thereof, who steals any property of the Commonwealth or of any sub-division thereof in his possession or custody or under his control as such officer; or who, with intent to steal such property, fails to deliver possession thereof when thereunto legally required by the proper officer of the Commonwealth, or any sub-division thereof, or by the person authorized to demand and receive the same, is guilty of a felony, and shall be imprisoned not exceeding ten years, or fined not exceeding five thousand dollars, or both.

SECTION 203. Any person who has converted any property without this Commonwealth under such circumstances that if the conversion had been made by him within this Commonwealth such conversion would have constituted stealing, who brings such property into this Commonwealth, is guilty of steal-

ing, and shall be punished as provided in Section two hundred of this act.

SECTION 204. Any person who having the possession of property of another with authority to sell or otherwise dispose of the same, or having possession of any bill of lading, permit, certificate, receipt or order for the delivery of merchandise with the like authority, deposits or pledges such property or document consigned or entrusted to him as aforesaid, as a security for any money borrowed or negotiable instrument received by such person, and applies or disposes of the same to his own use, in violation of good faith, with intent to defraud the owner of such property; and such person who, with like fraudulent intent, applies or disposes of to his own use, any money or negotiable instrument, raised or acquired by the sale of other disposition of such property; and any person who being entrusted with any power of attorney for the sale or transfer of any property, fraudulently sells or transfers, or otherwise converts such property, is guilty of stealing, and shall be punished as provided in Section two hundred of this act.

SECTION 205. Any person who being a bailee of any property of another, pledges such property without the consent of the owner, with intent to defraud the owner, is guilty of stealing the said property, and shall be punished as provided in section two hundred of this act: Provided, That this section shall not apply to any person pledging property which he has purchased in whole or in part with his own money or credit for another, and for which he has not

been wholly reimbursed by the person for whom it was purchased.

SECTION 206. On the trial of an indictment for stealing, it shall not be a defense that the defendant had an interest as partner, joint tenant or tenant in common, in the property converted.

SECTION 207. No trustee, banker, merchant, broker, attorney, agent, director, officer or other person who steals any property entrusted to him is entitled to refuse to make a full and complete discovery by answer to any bill in equity or to answer any question or interrogatory in any civil proceeding in any court of law or equity, but no answer to any such bill, question or interrogatory shall be admissible in evidence against such person charged with such offense.

SECTION 208. Any person who by any false pretense made with intent to defraud, obtains the signature of any person to any written instrument, is guilty of a felony, and shall be imprisoned not exceeding seven years, or fined not exceeding three thousand dollars, or both.

SECTION 209. Any person who buys or receives any property which shall have been so appropriated, whether within or without this Commonwealth, as to constitute stealing under this act, knowing, or having reasonable grounds to believe, such property to have been so appropriated; or who corruptly, for any money or other property or promise or agreement for any money or property, conceals or withholds any prop-

erty so appropriated, knowing, or having reasonable grounds to believe such property to have been so appropriated, is guilty of a felony, and shall be imprisoned not exceeding seven years, or fined not exceeding three thousand dollars, or both.

SECTION 210. It shall be lawful to prosecute and punish all buyers and receivers of stolen property, as well before as after the principal felon shall be taken and convicted, and whether the principal felon be amenable to justice or not, which prosecution, conviction and sentence of said receivers shall exempt them from being prosecuted as accessories after the fact, in case the principal felon shall be afterwards convicted.

SECTION 211. Any person who removes, alters, defaces, covers or destroys the manufacturers' serial number, or any other manufacturers' number or distinguishing number or identification mark upon any machine or other apparatus (other than a motor vehicle) for the purpose of concealing or destroying the identity of any such machine or other apparatus; or who takes into his possession any such machine or apparatus from which the manufacturers' serial number, or any other manufacturers' number or distinguishing number or, identification mark has been removed, altered, defaced, covered or destroyed for the purpose of concealing or destroying the identity of any such machine or other apparatus, knowing at the time of taking possession, of such removal, alteration, defacement, covering or destruction, is guilty of a misdemeanor, and shall be imprisoned not exceeding

six months, or fined not exceeding one hundred dollars, or both.

SECTION 212. Any officer, director, trustee, manager, employee, or agent, of any mutual savings bank, savings bank, bank of discount and deposit, trust company, title insurance company, surety company or safe deposit company, incorporated under the laws of this Commonwealth, or of any private bank or unincorporated association receiving deposits of money, or of any building and loan association incorporated under the laws of this Commonwealth or authorized to do business therein, who wilfully misapplies any of the moneys, funds or credits of any such institution of which he is an officer, director, trustee, manager, employee or agent; or who, with intent to defraud such institution or any other company, body politic or corporate, or any individual person or to deceive any officer of such institution, or any bank examiner, or other person legally authorized to examine the affairs of any such institution, issues or puts forth any certificate of deposit, draws any order or bill of exchange, makes any acceptance, assigns any note, bond, draft, bill of exchange, mortgage, judgment or other instrument in writing, makes or subscribes to any false entry or false statement of fact, exhibits or subscribes to any false papers, fails to make any entry he should make, in any book, report or statement of such institution, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.



Whenever the Commissioner of Banking shall have knowledge of any violation of this section, it shall be his duty to institute prosecutions against all persons violating any of the provisions thereof.

SECTION 213. Any person being a director, trustee, officer, manager, agent, superintendent, receiver, attorney, broker, member or employee of any corporation, partnership, firm or association, or of any municipal or quasi-municipal corporation, who, as such receives or possesses himself of any property of such corporation, partnership, firm or association or municipal or quasi-municipal corporation otherwise than in payment to him of a just debt or demand, and with intent to defraud, omits to make or to cause or direct to be made a full and true entry thereof in the books and accounts of such corporation, partnership, firm or association or municipal or quasi-municipal corporation, or makes or concurs in the making of any material false entry in relation thereto in the books and accounts of such corporation, partnership, firm or association, or municipal or quasi-municipal corporation, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 214. Any person being a director, trustee, officer, manager, agent, superintendent, receiver, attorney, broker, member or employee of any corporation, partnership, firm or association, or of any municipal or quasi-municipal corporation, who with intent to defraud, destroys, alters, mutilates or falsifies any book, paper, writing or security belonging to or in the possession or custody of such corporation,

partnership, firm, association or municipal or quasi-municipal corporation, or makes or concurs in the making of any false entry or any material omission in any book of account or other document of such corporation, firm, association, municipal or quasi-municipal corporation, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 215. Any person being a director, trustee, officer, manager, agent, superintendent, receiver, attorney, broker, member or employee of any body corporate, public company or municipal or quasi-municipal corporation, who shall make, circulate or publish or concur in making, circulating or publishing, any written statement or account of or concerning such corporation or company, its personnel, business, finances or affairs or prospects which he shall know to be false in any particular, with intent to deceive, or defraud any person, or with intent to induce any person to become a shareholder or partner therein, or to entrust or advance any property thereto, or to enter into any security for the benefit thereof, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 216. Any person who repledges or rehypothecates any stock, bond or other security, received by him for money lent and borrowed, during the continuance of the contract of hypothecation or pledging of such security, without the consent of the person pledging or hypothecating the same, is guilty of a felony, and shall be imprisoned not exceeding five

years, or fined not exceeding two thousand dollars, or both: Provided, That this section shall not be construed to prevent persons from pledging or hypothecating stocks or other securities which they have purchased, in whole or in part, with their own money or credit, for others, and for which they have not been reimbursed by the parties for whom such stocks or other securities have been purchased.

SECTION 217. Any banker, broker, officer or employee of any trust or savings institution, national, State or private bank, or of any association under the supervision of the Banking Department, who receives any money for deposit, knowing that such banker, broker, trust or savings institution, or bank, or association, is insolvent, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 218. Any person who being a member of a partnership, corporation or association, fraudulently uses or pledges the name of the partnership, corporation or association for any purpose other than the bona-fide use of said partnership, corporation or association, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 219. Any person who knowingly makes any misrepresentation for the purpose of securing from any life insurance company or association a policy of insurance or certificate of membership upon his own life or the life of any other person, is guilty of a misdemeanor, and shall be imprisoned not ex-

ceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 220. Any person in the employ of any railroad company who fraudulently and in neglect of his duty fails to cancel or return to the proper officer, agent or company, any coupon or other railroad ticket, with intent to permit the same to be used in fraud of any such company, or who fraudulently stamps, prints or signs any such ticket, or fraudulently sells or puts in circulation any such ticket, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding three thousand dollars, or both.

SECTION 221. Any person who, with intent to defraud, makes, draws, utters or delivers any check, draft or order for the payment of money upon any bank, banking institution, trust company or other depository, knowing at the time of such making, drawing, uttering, or delivering that the maker or drawer has not sufficient funds in or credit with such bank, banking institution, trust company or other depository for the payment of such check, draft or order, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both.

In any prosecution under this section, proof of the making, drawing, uttering or delivering of a check, draft, or order, together with proof that the person making or drawing such check, draft or order had not sufficient funds in or credit with the drawee for the payment of such check, draft or order, shall be *prima facie* evidence of intent to defraud and of knowledge



of insufficient funds in or credit with such bank, banking institution, trust company or other depository, unless such maker or drawer shall have paid the drawee thereof the amount due thereon together with interest and protest fees, within ten days after receiving written notice that such check, draft, or order has not been paid to the drawee.

SECTION 222. Any person who obtains employment, or appointment to any office or place of trust by color or aid of any false or forged letter or certificate of recommendation, or of any false statement in writing, as to his name, residence, previous employment, or qualification, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 223. Any person who with intent to sell or dispose of any property or service to the public, or to increase the consumption thereof, or to induce the public to enter into any obligation relating thereto, or to acquire any interest therein, makes, publishes, disseminates, circulates or places before the public an advertisement concerning such property or service, which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive or misleading, and which is known or which by the exercise of reasonable care should be known to be untrue, deceptive or misleading, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars, or both.



SECTION 224. Any person who is charged on oath or affirmation before a magistrate, justice of the peace, alderman, mayor or burgess in this Commonwealth with being a professional thief, burglar or pickpocket, and who has been arrested by any police officer, detective, constable, sworn peace officer or watchman at any steamboat landing, railroad depot or station, ferryhouse, on the platform or inside of any street passenger railway car, in any church or the vestibule or corridor thereof, in any building occupied as a banking institution, trust company, saving fund or broker's office, elevator used to carry passengers, in any park or place of public amusement or recreation, or the approaches thereto, auction stores or crowded thoroughfares, public or private, and against whom it shall be proven to the satisfaction of the said magistrate, justice of the peace, alderman, mayor or burgess, by sufficient testimony, that he was frequenting or attending such place for an unlawful purpose, shall be committed to prison for a term not exceeding ninety days, or, in the discretion of said mayor, magistrate, justice of the peace, alderman or burgess, be required to enter security for his good behavior for a period not exceeding one year: Provided, however, That the defendant may, within five days after such conviction, appeal to the court of quarter sessions of the county in which such justice of the peace, alderman, mayor or burgess shall reside, upon allowance of said court of quarter sessions or any judge thereof, upon cause shown.

SECTION 225. Any person who with intent to defraud has in his possession, custody or control, any electric meter which has been tampered with or pre-

vented from duly registering the quantity of electricity supplied or consumed; or who with such intent interferes with the proper action and just registration of any electric meter; or who with such intent diverts, or otherwise uses any electric current manufactured or supplied by another, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding two hundred dollars, or both.

SECTION 226. Any person who wilfully and unlawfully opens, closes, or in any manner adjusts or tampers with any valve, regulator, gauge, gate, disc, curb-cock, stopcock, meter or other regulating, operating or measuring device or appliance in or attached to any well, tank, conduit, pipe-line, main service pipe, house-pipe or display pipe or other distributing pipe of any person furnishing gas to consumers; or who wilfully and unlawfully enlarges or alters or removes from its connection any mixer furnished or approved by such furnisher of gas; or who, without express permission first obtained from such furnisher of gas, puts on any mixer, or consumes the gas of such furnisher of gas, or who, without such permission, taps, severs or opens any gas main or pipe, or connects with such main or pipe any other main or pipe, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding two hundred dollars, or both.

SECTION 227. Any person who takes, sells or transfers any promissory note or other negotiable instrument not having the words "given for a patent right" written or printed legibly and prominently on the face of such note or instrument, above the signa-

ture thereto, knowing the consideration of such note or instrument to consist, in whole or in part, of the right to make, use or vend any patent invention claimed to be patented, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 228. Any person who pretends for gain or lucre to predict future events, by cards, tokens, the inspection of the head or hands of any person, or by any one's age, or by consulting the movements of the heavenly bodies; or who for gain or lucre pretends to effect any purpose by spells, charms, necromancy or incantation; or who advises the taking or administering of what are commonly called love powders or potions, or prepares the same to be taken or administered; or who pretends for lucre or gain to enable any one to get or to recover stolen property, or to tell where lost property is, or to stop bad luck, or to give good luck, or to put bad luck on any person or property, or to stop or injure the business or injure the health of any person, or to give success in business, enterprise, speculation, lottery, lottery numbers, or games of chance, or win the affections of any person whatever for marriage or seduction, or to make one person marry another, or to induce any person to alter or make a will in favor of or against any one, or tell the place where treasure, property, money or valuables are hid, or to tell the place where to dig or search for gold, metals, hidden treasure or any other article, or to make one person dispose of property, business or any valuable thing in favor of another, is guilty of a misdemeanor, and shall be im-

prisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 229. Any person who at any hotel, inn, or boarding house, receives or causes to be furnished any food or accommodations, with intent to defraud the owner or proprietor of such hotel, inn, or boarding house out of the value or price of such food or accommodation; and any person who obtains credit at any hotel, inn, or boarding house by depositing at such hotel, inn, or boarding house any baggage or property of value less than the amount of such credit, or of the bill by such person incurred, with such fraudulent intent; and any person who after obtaining credit or accommodation at any hotel, inn, or boarding house, absconds from such hotel, inn or boarding house, and surreptitiously removes his baggage or property therefrom, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding two hundred dollars, or both.

SECTION 230. Any person who marks, stamps, labels, or brands with the word "gold" or the words "solid gold" or who sells, offers or exposes for sale, or has in his possession with intent to sell, any article of merchandise marked, stamped, labelled, or branded with the word "gold" or the words "solid gold," containing less than ten karats of pure gold, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 231. Any person who marks, stamps, labels or brands as being of any number of karat



not less than ten in fineness, or sells, offers or exposes for sale or has in his possession with intent to sell, any article of merchandise marked, stamped, labelled or branded as being of any number of karat of gold not less than ten in fineness, or wrapped, incased or enclosed in any box, package, cover, wrapper, or other thing in or by which the said article is packed, wrapped, incased, enclosed or otherwise prepared for distribution having thereupon any engraving, label, stamp, imprint or mark indicating or denoting that such article is of any number of karat of gold not less than ten in fineness, unless the component parts of which said article is made are in the following ratio: If marked eighteen karat there must be eighteen parts of pure gold and six parts alloy; if fourteen karat, there must be fourteen parts of pure gold and ten parts alloy; if ten karat, there must be ten parts of pure gold and fourteen parts alloy; and other qualities in the same proportion, with twenty-four karat as the standard of pure gold by which the article is marked, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 232. Any person who sells or offers or exposes for sale, or has in his possession with intent to sell, any article of merchandise to which is attached a metal mounting, addition or ornament marked, stamped, or branded with the word "gold" or the words "solid gold," unless such mounting, addition or ornament contain not less than ten karats of pure gold, is guilty of a misdemeanor, and shall be im-



prisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 233. Any person who sells or offers or exposes for sale any article of merchandise to which is attached a metal mounting, addition or ornament marked, stamped or branded as being of any number of karat of gold not less than ten in fineness, unless the component parts of which such mounting, addition or ornament is made are in the ratio prescribed by section two hundred and thirty-one of this act, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 234. Any person who marks, stamps, labels or brands with the word "sterling" or the words "sterling silver," or who sells or offers or exposes for sale, or has in his possession with intent to sell, any article of merchandise marked, stamped, labelled or branded with the word "sterling" or the words "sterling silver," or wrapped, incased or enclosed in any box, package, cover, wrapper or any other thing, in or by which the said article is packed, wrapped, enclosed, incased or otherwise prepared for sale or distribution, having thereon any engraving, label, stamp, imprint, or mark indicating or denoting that such article is silver or sterling silver, unless nine hundred and twenty-five one-thousandths of the component parts of the metal of which the said article is made is pure silver, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 235. Any person who marks, stamps, labels or brands with the word "coin" or the words "coin silver," or who sells or offers or exposes for sale, or has in his possession with intent to sell, any article of merchandise marked, stamped, labelled or branded with the word "coin" or the words "coin silver," or wrapped, incased or enclosed in any box, package, cover, wrapper or other thing in or by which the said article is packed, wrapped, incased, enclosed or otherwise prepared for sale or distribution, having thereupon any engraving, label, stamp, imprint, or mark indicating or denoting that such article is coin or coin silver, unless nine hundred one-thousandths of the component parts of the metal of which the said article is made is pure silver, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 236. Any person who sells or offers or exposes for sale, or has in his possession with intent to sell, any article of merchandise to which is attached a metal mounting, addition or ornament marked, stamped or branded with the word "sterling" or the words "sterling silver" unless such mounting, addition or ornament contain not less than nine hundred and twenty-five one-thousandths parts of pure silver, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 237. Any person who sells or offers or exposes for sale, or has in his possession with intent

to sell, any article of merchandise to which is attached a metal mounting, addition or ornament marked, stamped or branded with the word "coin" or the words "coin silver," unless such mounting, addition or ornament contain not less than nine hundred one-thousandths parts of pure silver, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 238. Any person who publicly presents for profit any unpublished dramatic play or musical composition without the consent of the author or authors thereof, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 239. Any person who buys or receives from a minor, knowing him to be such, or from any person unknown to such person buying or receiving, or from any person pursuing no trade, labor or employment for a livelihood, any junk, rope, scrap iron, brass, lead, copper or other metal, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 240. Any person who in the sale, delivery, or exchange of any milk or cream, or the products of milk or cream, uses any bottle, jar, can, tub, box, vessel or other container of another upon which is stamped, blown, engraved, or otherwise marked, the name, title, mark or address of the owner, shall, on summary conviction, be fined not exceeding

one hundred dollars and pay the costs of prosecution, and in default in the payment of such fine and costs be imprisoned not exceeding two months.

SECTION 241. Any person who without the consent of the owner, wilfully and unlawfully removes, obliterates, or mutilates the name, title, mark or address of another stamped, blown, engraved or otherwise marked on any bottle, jar, can, tub, box, vessel or other container used in the sale or transportation of milk or cream or the products of milk or cream, shall, on summary conviction, be fined not exceeding one hundred dollars and pay the costs of prosecution, and in default in the payment of such fine and costs be imprisoned not exceeding two months.

SECTION 242. Any person who without the consent of the owner thereof refills for the purpose of sale with any article of merchandise, any bottle upon which is stamped, blown, engraved or otherwise marked the name, title, or mark of another which shall have been registered according to law; or who buys, sells, deals or traffics in any such bottle without the consent in writing of the owner thereof shall, on summary conviction, be fined not exceeding two hundred dollars and pay the costs of prosecution, and in default in the payment of such fine and costs, be imprisoned not exceeding three months. The fact that any person other than the rightful owner thereof refills any such bottle, or uses such bottle for the sale therein of any article of merchandise, or has in his possession such bottle for the purpose of dealing or trafficking therein, is *prima facie* proof of the unlawful dealing or trafficking in such bottle.

SECTION 243. Any person who, by any false representation, knowing the same to be false, obtains from any club, association, society or company for improving the breed of animals, the registration of any animal in the register of any such club, association, society or company, or a transfer of any such registration, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 244. Any person who enters for competition for any purse, prize, premium, stake or sweepstake offered or given by any person, club, association, society or company, any animal under an assumed name, or out of its proper class, when such prize, purse, premium, stake or sweepstake is to be decided by a contest in racing, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding two hundred dollars, or both.

SECTION 245. Any person being the bailor of any property who, with intent to defraud his bailee, obtains possession of such property from the bailee without permission of such bailee, his agent or servant, with intent to defraud such bailee; or who obtains possession of such property from the bailee by any representation known by him to be false, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 246. Any officer, agent, or member of any association, the formation of which is provided



for by any act of assembly of this Commonwealth, who wilfully keeps, secretes, mutilates or destroys or refuses to surrender to his successor duly elected or appointed, or to the proper authority as provided by the constitution or by-laws thereof, any seal, minute book, record, ledger, voucher or other book or paper or any article of property belonging or appertaining to the affairs of such association, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both, and shall be sentenced to surrender such article to the proper authority.

SECTION 247. Any person who fraudulently or maliciously tears, burns, or in any other way destroys any deed, lease, will, bond, mortgage, or any bill or note, check, draft or other security for the payment of money or the delivery of goods, or any certificate of loan or other public security of this Commonwealth or of the United States, or of any of them, or of any foreign country, or any certificate of the stock or debt of any bank, corporation or society either of this Commonwealth or the United States, or either of them or of any foreign country, or any receipt, acquittance, release or discharge of any debt, suit or other demand, or any transfer or assurance of money, stocks, goods, chattels, or other property, or any letter of attorney or other power, or any day book or other book of accounts, or any agreement or contract whatever, with intent in any of the said cases to defraud, prejudice or injure any person, is guilty of a misdemeanor, and shall be imprisoned not ex-

ceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 248. Any person who confesses or authorizes the confession of a judgment against himself, or against any partnership, corporation or association represented by him, in favor of one not a *bona fide* creditor, with intent to defraud a creditor; or who removes any of his property, or the property of any other person, out of any county with intent to prevent the same from being levied upon by virtue of any execution, or to prevent the said property from being sold by virtue of any said execution after levy has been made thereon; or who secretes, assigns, conveys or otherwise disposes of any of his property, or the property of any other person, with intent to defraud any creditor, or to prevent such property from being levied upon by virtue of any execution, or to prevent such property from being sold by virtue of any execution after levy has been made thereon, or to prevent such property from being made liable for the payment of his debts, or the debts of any other person; and any person who receives such property, with such intent, or who with like intent colludes with any debtor or other person for the concealment or removal of such property, or for giving a false color thereto, or conceals any grant, sale, lease, bond or other instrument or proceeding, either in writing or by parol, or becomes a grantee, purchaser, lessee, obligee or other like party in any such instrument or proceeding, with the like fraudulent intent, or acts as broker, scrivener, agent or witness, in regard to such instrument or proceeding with like

intent, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both.

SECTION 249. Any person who fraudulently, or with intent to deceive, wears any insignia, badge, button, shield or official decoration of any association of veterans, or of any fraternal organization, or of any trade or labor union, or of any other society or association, or uses any of the same to obtain aid or assistance, unless he be entitled to wear or use the same under the constitution and by-laws, rules and regulations of such organization, is guilty of a misdemeanor, and shall be imprisoned not exceeding two months, or fined not exceeding one hundred dollars, or both.

SECTION 250. Any person who, not being entitled under the laws or regulations of the United States Government to wear the same, wears the discharge button issued by the United States Government to soldiers, sailors, marines and war nurses, who served in the military or naval forces of the United States during times of war, is guilty of a misdemeanor, and shall be imprisoned not exceeding sixty days or fined not exceeding one hundred dollars, or both.

SECTION 251. Any person who sells or offers for sale or purchases or accepts as a pledge or pawn a victory medal, service button, or other medal, insignia, or decoration granted by the Government of the United States for service in the army, navy, marine or nurses' corps, is guilty of a misdemeanor, and

shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 252. Any person who fraudulently or with intent to deceive uses the name or title of any secret fraternal association, society, order or organization which has had a grand lodge having jurisdiction in this Commonwealth for ten years, or who imitates such name or title, or any name or title so nearly resembling it as to be calculated to deceive; or who fraudulently or with intent to deceive, wears or uses any emblem, badge, button, shield, device or insignia of any such organization; or who without the authority of the grand lodge aforesaid, publishes, sells, lends, gives away or circulates any letter or written or printed matter or device advertising for or soliciting members or applications for membership in such organization or in any alleged or pretended organization using, or designated, or claiming to be designated, by such title, or imitation or resemblance thereof; or who offers to sell, confer, communicate or give information as to where, how, of whom, or by what means any alleged or pretended degree, or secret, or secret work of any such organization, or any alleged or pretended organization designated, or claiming to be known by such title, or imitation or resemblance thereof, may be obtained, conferred or communicated, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both; and the possession by the defendant of any such letter or written or printed matter or device shall be presumptive proof of an intent to violate this section.

## TITLE VIII.—OFFENSES AGAINST REAL PROPERTY AND MALICIOUS MISCHIEF.

SECTION 253. Any person who in the night time breaks and enters any dwelling house of another, or building a parcel thereof or adjoining or appurtenant thereto, with intent to commit a felony; or who enters any building of another with intent to commit a felony therein by the use of gunpowder, dynamite, nitroglycerin or other explosive, is guilty of burglary, a felony, and shall be imprisoned not exceeding twenty years, or fined not exceeding ten thousand dollars, or both.

SECTION 254. Any person who in the daytime breaks and enters any building of another, or who at any time enters any building of another with intent to commit a felony therein, is guilty of a felony, and shall be imprisoned not exceeding ten years, or fined not exceeding five thousand dollars, or both.

SECTION 255. Any person who injures, or stops or attempts to injure or stop, or enters into a conspiracy to injure or stop any moving railroad train, with intent to commit any felony thereon, is guilty of a felony, and shall be imprisoned not exceeding fifteen years, or fined not exceeding seven thousand dollars, or both.

SECTION 256. Any person who makes or mends or has in his possession, any tool, false key, pick-lock, bit, nippers, fuse, force-screw, punch, drill. jimmy,



or any material, implement or other mechanical device designed or commonly used for breaking into any vault, safe or building, with intent to use such tool or implement in the commission of an offense, or knowing that the same is intended to be so used, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both; and the jury may infer the intent aforesaid from the fact of the possession by the defendant of any of the articles mentioned in this section.

SECTION 257. Any person who wilfully and maliciously burns or sets on fire any building, barrack, rick or stack of grain, hay, fodder, bark, wood, boards or other lumber, or motor vehicle of another, or any bridge, is guilty of a felony, and shall be imprisoned not exceeding ten years, or fined not exceeding five thousand dollars, or both.

SECTION 258. Any person who wilfully and maliciously or wantonly burns or sets on fire the factory, mill or dwelling house of another, or building a parcel of such dwelling house or adjoining or appurtenant thereto, or any other building by means whereof a dwelling house is burnt; or who wilfully and maliciously burns any building in which there is, to the knowledge of the offender, any human being, is guilty of arson, a felony, and shall be imprisoned not exceeding twenty years, or fined not exceeding ten thousand dollars, or both.

SECTION 259. Any person who wantonly, maliciously or negligently sets on fire any wood-lands of another or of the people of the Commonwealth or, without the consent of the owner, causes fire to burn therein; or who wantonly, maliciously or negligently sets fire upon adjacent land, which fire is communicated to such wood-lands; or who wilfully kindles any fire upon any forestry reservation, except in accordance with such rules as may be prescribed by the Department of Forestry, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding three hundred dollars, or both.

SECTION 260. Any person who wilfully burns or sets on fire any building or other property owned by him which is at the time insured against loss or damage by fire, with intent to defraud or prejudice the insurer thereof, is guilty of a felony, and shall be imprisoned not exceeding seven years, or fined not exceeding three thousand dollars, or both.

SECTION 261. The fact that the offender was the husband or wife of the owner of the property burned, or was in possession as tenant or otherwise at the time of the commission of the offense provided against in section two hundred and fifty-eight of this act, does not exempt him or her from the provisions of the said section.

SECTION 262. Any person who places or throws in, upon, under, against or near any building, any gunpowder, dynamite, nitroglycerin or other explosive

substance under such circumstances as to endanger human life or safety, is guilty of a felony, and shall be imprisoned not exceeding twelve years, or fined not exceeding six thousand dollars, or both.

SECTION 263. Any person who wilfully and unlawfully removes or injures any part of a public highway or bridge, or a private way or bridge maintained by authority of law; or who wilfully injures, obstructs or places or throws in or upon any public path, street, sidewalk, alley, road or other public way or place, any article or substance which might cause injury to any person, animal or vehicle, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding three hundred dollars, or both.

SECTION 264. Any person who wilfully and unlawfully injures, throws down or levels any lock, sluice, floodgate, bank, waste-weir, dam, aqueduct, culvert, bridge, feeder, guard wall, towing path, or berme bank belonging to or used in any artificial navigation, or obstructs any such feeder, waste-weir, aqueduct or culvert, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 265. Any person who wantonly or maliciously opens or shuts any lock, safety gate, wicket, paddle or culvert gate, or any waste, feeder or sluice gate; or who drives any nail, spike, pin or wedge into any such gate or fixture thereof, or who takes any other means to prevent the perfect and free use of

the same; or who wantonly or maliciously breaks, throws down or injures any fence, wall or timber work on, or used in connection with, any canal, pool, feeder, or other part of any artificial navigation; or who wantonly or maliciously obstructs the navigation of any canal or pool, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding three hundred dollars, or both.

SECTION 266. Any person who wantonly or maliciously breaks down or cuts down or damages any river or meadow bank or mill dam, or the bank or wall of any canal or marsh, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 267. Any person who causes any water to be conveyed into any mine or into any subterraneous passage communicating therewith, with intent thereby to damage such mine, or to hinder or delay the working thereof; or who with like intent, wilfully and unlawfully pulls down, fills up or obstructs any airway, waterway, drain, pit, level or shaft of, or belonging to any mine, or otherwise wilfully and unlawfully injures any mine, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both.

SECTION 268. Any person who wilfully and unlawfully injures any well sunk for the production of oil, gas, or water, or any reservoir, stand-pipe or tank

used or intended for the storage of oil, gas or water, or any pumping station, valve, pipe or pipe line or conduit used or intended for the transportation of oil, gas or water, or any gas post, burner, or reflector, appliance, works or machinery used in connection with such well, reservoir, stand-pipe, tank, pumping station, valve, pipe or pipe line, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 269. Any person who wantonly or maliciously causes to fall into any navigable stream used for the purpose of floating, running or manufacturing lumber, or into any tributary of such stream, any slabs, edgings, driftwood, brush, stump, log or tree, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding three hundred dollars, or both.

SECTION 270. Any person who moors any vessel or raft, or hangs on with any vessel or raft, to any signal or mark used for purposes of navigation and erected by lawful authority in the waters of this Commonwealth, or wilfully and unlawfully removes, injures or damages such signal or mark erected in or near any stream by lawful authority; or who having through accident, run down, dragged, or in any way injured any such signal or mark, fails to give notice as soon as practicable of having so done to the lighthouse inspector of the district in which said signal or mark is located, or to the board of wardens for the port of Philadelphia, is guilty of a misdemeanor,



and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 271. Any person who places or throws any obstruction upon or across any railroad, whether such railroad be operated by steam, electricity or other motive power, or loosens, removes, displaces, or injures any rail, sleeper, bridge, viaduct, culvert, embankment, or other thing or structure attached, appertaining to or connected with any railroad, or turns, moves, diverts, or injures any switch, machinery or other appliance appertaining to any such railroad, or makes or shows, hides or removes or injures any signal or light appertaining to any such railroad, or removes any waste, brasses, or packing from any journal-box of any locomotive, engine, tender, carriage, coach, car, caboose or truck used or operated upon any railroad, or removes, displaces or injures any air appliance, wire insulator, pole, dynamo or motor attached, appertaining to or connected with any such railroad, or injures any engine, tender, carriage, car or truck upon any such railroad, or discharges a fire-arm, or throws or causes to fall or strike against, into or upon any engine, tender, carriage, car or truck upon any such railroad, any wood, stone or other matter or thing with intent in any of the cases aforesaid to obstruct, upset, overthrow, derail or injure any engine, tender, carriage, car or truck used on any such railroad, or to endanger the safety of any person traveling or working or being upon any such railroad, is guilty of a felony, and shall, if no person is killed thereby, be imprisoned not exceeding ten years, or fined not exceeding five thousand dollars, or both;

and if any person is killed thereby, be punished as provided for in section one hundred and seventy-three of this act.

SECTION 272. Any person who wilfully and unlawfully, but without any of the intents mentioned in section two hundred and seventy-one of this act, does any of the acts mentioned in the said section; or who wilfully and unlawfully takes possession of, or removes any of the property mentioned therein, or wilfully and unlawfully prevents or attempts to prevent the use thereof by any railroad company or its employees, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 273. Any person who wilfully and unlawfully breaks or injures any locomotive or stationary engine, inclined plane, engine house, station or depot, bridge, culvert, trestle work, or other building or structure belonging to any railroad, or any other part of such railroad, or wantonly or maliciously deranges or displaces the fixtures or machinery of any locomotive or stationary engine used or employed on any railroad, or wantonly or maliciously injures any fence or wall or cross-road passing over or under such railroad, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 274. Any person who wilfully and unlawfully displaces, removes or injures or interferes with any line of telegraph or telephone posts, wire

or cable, pier or abutment or any material or property appertaining thereto; or who wilfully and unlawfully cuts, breaks, taps or makes connection with any telegraph or telephone line, wire, cable or instrument; or who not being authorized thereto, reads or copies any message or communication passing over the same; or who wilfully and unlawfully prevents, obstructs or delays the sending, transmission, conveyance or delivery of any authorized message or communication by or through any telegraph or telephone line, wire, or cable under the control of any telegraph or telephone company, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars, or both.

SECTION 275. Any person who wilfully and unlawfully injures any power house, sub-station, cable, meter, pipe, conduit, wire, line, pole, tower, cross-arm, insulator, transformer, switching-device, lightning-arrester, lamp, motor, generator or other appliance or apparatus or machinery owned or used by any person using or being engaged in the manufacture or sale or transportation, transmission or distribution of electricity for the purpose of light, heat or power; and any person, not being duly authorized thereto, who wilfully and unlawfully connectes or disconnects any electrical conductor owned by any such person or makes any connection with any such electrical conductor with intent to use or waste the electric current, or anywise tampers with any meter used to register electric current consumed, or electric energy passing through the same or the characteristics thereof, or interferes with the operation of any dynamo, or

other electric appliance or apparatus of such person, or tampers with or interferes with any sub-station cable, meter, pipe, conduit, wire, line, pole, tower, cross-arm, insulator, transformer, switching-device, lightning arrester, lamp, motor, generator, or other appliance or apparatus used by such person or by a customer or patron thereof, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 276. Any person who wantonly or maliciously injures or defaces any building, or any fixture thereto, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding three hundred dollars, or both.

SECTION 277. Any person who wantonly or maliciously breaks or cuts down or otherwise injures any tree, shrub, bush, plant, trellis, arbor, hotbed, hot-house, greenhouse or vine, being, standing or growing on the land of another or of the people of the Commonwealth; or who wilfully violates any rule made for the government of the state forest reserves, or injures or defaces or removes any notice posted by the department of forestry; or wantonly or maliciously breaks or cuts or otherwise injures any wood or timber being on the land of another or of the people of the Commonwealth; or who wantonly or maliciously breaks or cuts, severs from, or injures on the land of another or of the people of the Commonwealth, any grain, grass, vegetables or other growing crop, or any other produce thereof, or anything attached thereto, or who wantonly or maliciously breaks, cuts down or

otherwise injures or defaces any wall, fence or enclosure of another or of the people of the Commonwealth, or any tree, rock, post or other monument which has been either erected or marked for the purposes of designating a point in the boundary of the Commonwealth, or of any sub-division thereof, or of any farm, tract or lot of land, or alters, destroys, defaces, adds to or changes, any mark or inscription thereon, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding three hundred dollars, or both.

SECTION 278. Any person who wilfully and unlawfully injures any hose or engine, or any apparatus appertaining to the same, belonging to the Commonwealth, or any sub-division thereof, or to any fire engine or hose company, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both.

SECTION 279. Any person who wantonly or maliciously injures or interferes with or interrupts the working of any fire alarm, telegraph, or telephone box, fire alarm signal box, or any pole, post, wire or other appurtenance thereto, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both.

SECTION 280. Any person who wantonly or maliciously removes, injures or defaces any sign or index board lawfully erected upon or near any public street, road or bridge for the direction, guidance or safety of travelers, whether the same be erected on public



or private property shall, on summary conviction, be fined not exceeding one hundred dollars, and pay the costs of prosecution, and in default in the payment of such fine and costs be imprisoned not exceeding two months.

SECTION 281. Any person who wilfully and unlawfully breaks or enters any building used for public school purposes, or any outhouse used in connection therewith; or who wantonly or maliciously injures or defaces any furniture, book, paper, map, chart or apparatus in any such building, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding three hundred dollars, or both.

SECTION 282. Any person who wantonly or maliciously injures or defaces, soils, obliterates or destroys any book, volume, chart, map, magazine, newspaper, picture, painting, engraving, statuary, coin, model, apparatus, specimen or other article in any public library, gallery, museum, collection, fair or exhibition, or in any library, gallery, museum, collection or exhibition, which is either at all times, or from time to time open for the admission of the public, or any considerable number of persons, either by the permission of the owner thereof or by the payment of money for entrance to the same, or of any college or university, or of any other incorporated institution devoted to educational, scientific, literary, artistic, historical or charitable purpose, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding three hundred dollars, or both.

SECTION 283. Any person who wilfully and unlawfully injures or defaces any statue or monument or wilfully and unlawfully destroys, alters, defaces, adds to or changes any inscription upon any such statue or monument, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars. or both.

SECTION 284. Any person who wantonly or maliciously injures, defaces or soils any property of exhibitors, visitors, or lessees at any fair or exhibition, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 285. Any person who wilfully and unlawfully injures any arsenal or armory, or any uniform, arm. equipment or other property therein, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 286. Any person whose duty it is to handle, remove, or care for the baggage of passengers on any common carrier, who wilfully and unlawfully injures any box, package, parcel or other such baggage, while loading, transporting, unloading, delivering or storing the same, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 287. Any person who, being bailee for hire of any property of another, wilfully and unlaw-

fully injures such property, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 288. Any person who wantonly or maliciously destroys, mutilates, defaces or removes any show bill, placard, programme, poster or other advertisement lawfully erected, posted or being upon any rail, fence, billboard or other structure, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 289. Any person who wilfully and unlawfully paints, writes, places or affixes any placard, notice, sign or advertisement upon any property of another without the consent of the owner of said property, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

SECTION 290. Any person who wilfully and unlawfully kills, wounds, injures or disfigures any cattle, horse, mule, dog or other domestic animal or fowl of another; or who wilfully and unlawfully administers any poison to any such animal or fowl, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both: Provided, That the provisions of this section shall not apply to the killing of any animal or fowl taken or found in the act of destroying any other domestic animal or fowl.

SECTION 291. Any person who enters an enclosed private game preserve of another with intent to wantonly or maliciously injure, destroy or capture any animal, or fish, or to injure or destroy any other thing therein, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars, or both.

SECTION 292. Any person who cruelly ill-treats, over-drives, over-rides, over-loads, beats or tortures, torments or otherwise abuses any animal, whether wild or tame, or whether belonging to himself or another; or who being the owner or having possession or custody of any animal, deprives such animal of necessary food, drink, shelter or protection, or neglects or refuses to furnish it with such food or drink, shelter or protection, or cruelly drives, rides or works it when unfit for labor, or cruelly abandons it, or carries it in or upon any vehicle, or otherwise, in a cruel manner, or knowingly and wilfully authorizes or permits it to be subjected to unnecessary torture, suffering or cruelty of any kind, or abandons it to die in any public place shall, on summary conviction, be fined not exceeding two hundred dollars, and pay the costs of prosecution, and in default in the payment of such fine and costs be imprisoned not exceeding three months.

SECTION 293. Any person who causes to fight any cock, bull, bear, dog, or other creature, for money or other property; or who keeps, uses or is in any way connected with or interested in the management of, or receives money for the admission of any person

to, any place kept or used for the purpose of fighting or baiting any cock, bull, bear, dog or other creature, shall, on summary conviction, be fined not exceeding two hundred dollars, and pay the costs of prosecution, and in default in the payment of such fine and costs be imprisoned not exceeding three months.

SECTION 294. Any agent of the Pennsylvania society or of any other society for the prevention of cruelty to animals, is hereby authorized and empowered to seize any bull, bear, dog, cock or other creature kept, used or intended to be used for the purpose of fighting or baiting, and to sell the same for the benefit of said society: Provided, That when the seizure is made the animal so seized shall not be deemed absolutely forfeited, but shall be held by the officer seizing it until a conviction of some person is first obtained under section two hundred and ninety-three of this act, for keeping or using or being connected with or interested in the management of any place used for fighting or baiting animals, and it shall have been found that the animal seized was found on the premises which are the subject of the complaint: And further provided, That the agent making such seizure shall make due return to the magistrate or alderman before whom the complaint is heard, of the number and kind of animals or creatures so seized by him; and it shall be the duty of the magistrate or alderman hearing the complaint, in case of a conviction, to make the forfeiture of such animals or creatures seized a part of the sentence.

SECTION 295. Any person who wilfully and unlawfully injures or defiles any ice, forming, formed



or being upon any water of another from which ice is taken as an article of merchandise, or for domestic consumption, is guilty of a misdemeanor, and shall be imprisoned not exceeding three months, or fined not exceeding one hundred dollars, or both.

## TITLE IX.—OFFENSES AGAINST THE COIN, AND FORGERY.

SECTION 296. Any person who falsely makes, forges or counterfeits any coin resembling or apparently intended to resemble any gold or silver coin which is or shall be current or in actual use or circulation as money within this Commonwealth, is guilty of a felony, and shall be imprisoned not exceeding ten years, or fined not exceeding five thousand dollars, or both.

SECTION 297. Any person who fraudulently defaces, mutilates, impairs, diminishes, falsifies or scales any gold or silver coin which is or shall be current or in actual use or circulation as money in this Commonwealth, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 298. Any person who buys, sells, receives, pays or puts off, or offers so to do, any false, forged or counterfeit coin resembling or apparently intended to resemble or pass for any gold or silver coin which is or shall be current or in actual use or circulation as money within this Commonwealth at

or for a lower rate or value than the same by its denomination, imports or was coined, forged or counterfeited for, knowing the same to be false, forged or counterfeit; or who brings into this Commonwealth any false, forged or counterfeit coin, resembling or apparently intended to resemble any gold or silver coin which is or shall be current or in actual use or circulation as money within this Commonwealth, knowing the same to be false, forged or counterfeit, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 299. Any person who tenders, utters, passes or puts off any false, forged or counterfeit coin resembling or apparently intended to resemble any gold or silver coin which is or shall be current or in actual use or circulation in this Commonwealth, knowing the same to be false, forged or counterfeit; or who has in his possession any such false, forged or counterfeit gold or silver coin, knowing the same to be false, forged or counterfeit, with intent to utter, pass or put off the same, is guilty of a felony, and shall be imprisoned not exceeding ten years, or fined not exceeding five thousand dollars, or both.

SECTION 300. Any person who falsely makes, forges or counterfeits any coin resembling or apparently intended to resemble any copper, nickel, bronze or other minor coin which is or shall be current or in actual use or circulation as money within this Commonwealth, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 301. Any person who buys, sells, receives, pays, puts off, or offers so to do, any false, forged or counterfeit coin, resembling or apparently intended to resemble any copper, nickel, bronze or other minor coin which is or shall be current or in actual use or circulation as money within this Commonwealth, at or for a lower rate or value than the same by its denomination, imports or was coined, forged or counterfeited for, knowing the same to be false, forged or counterfeit; or who brings into this Commonwealth any false, forged or counterfeit coin resembling or apparently intended to resemble any copper, nickel, bronze or other minor coin which is or shall be current, or in actual use or circulation as money within this Commonwealth, knowing the same to be false, forged or counterfeit, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 302. Any person who tenders, utters, passes or puts off any false, forged or counterfeit coin resembling or apparently intended to resemble any copper, nickel, bronze, or other minor coin which is or shall be current or in actual use or circulation as money within this Commonwealth, knowing the same to be false, forged or counterfeit; or who has in his possession, custody or control any such false, forged or counterfeit minor coin, knowing the same to be false, forged or counterfeit, with intent to utter, pass or put off the same, is guilty of a misdemeanor, and shall be imprisoned not exceeding three years, or fined not exceeding one thousand dollars, or both.

SECTION 303. Any person who makes, mends, buys, sells, conceals or has in his possession, custody or control any puncheon, matrix, die, hub, stamp, mould, edger or cutting engine or part thereof, used or designed for coining, forging or counterfeiting any coin, knowing that such tool or instrument is intended to be used in the false and fraudulent making, forging or counterfeiting of any coin which is or shall be current or in actual use or circulation as money within this Commonwealth, or with intent to use such tool or instrument for the fraudulent purpose aforesaid, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 304. Where, upon the trial of any person charged with any of the offenses enumerated in sections two-hundred and ninety-six, two hundred and ninety-eight, two hundred and ninety-nine, three hundred, three hundred and one and three hundred and two of this act, it shall be necessary to prove any coin, produced in evidence against such person, to be false, forged or counterfeit, it shall not be necessary to prove the same to be false, forged or counterfeit by the evidence of any officer of the United States mint, but it shall be sufficient to prove the same false, forged or counterfeit by the evidence of any credible witness.

SECTION 305. Any person who falsely makes, forges, counterfeits or alters any obligation or other security of the United States, or knowingly utters, publishes or puts off any such falsely made, forged,

counterfeited or altered obligation, knowing the same to be false, forged, counterfeit or altered, or has in his possession, custody or control any such falsely made, forged, counterfeited or altered obligation, knowing the same to be forged, counterfeited, or altered, with intent to utter, publish or put off such obligation, is guilty of a felony, and shall be imprisoned not exceeding fifteen years, or fined not exceeding seven thousand dollars, or both.

SECTION 306. Any person who falsely makes, forges or counterfeits any bill or note in imitation of, or purporting to be a bill or note issued by any bank incorporated under the laws of this Commonwealth or under the laws of any of the States or territories of the Union, or of the District of Columbia, or any order, check or draft on any such bank, or any cashier of the same; or who passes, utters or publishes any false, forged or counterfeit bill or note, as and for a true note issued by any such bank, or any false, forged or counterfeit order, check or draft upon any such bank, or any cashier thereof, knowing the same to be falsely made, forged or counterfeited; or who passes, utters or publishes any forged or counterfeit note or bill in imitation of or purporting to be a bill or note issued by any such bank, knowing the same to be false, forged or counterfeited, is guilty of felony, and shall be imprisoned not exceeding fifteen years, or fined not exceeding seven thousand dollars, or both.

SECTION 307. Any person who commits forgery of any written instrument the forging of which is not



otherwise specially provided against in this act; or who utters any such forged instrument, knowing the same to be forged, is guilty of a felony, and shall be imprisoned not exceeding ten years, or fined not exceeding five thousand dollars, or both.

SECTION 308. Any person who fraudulently places together or connects different parts of two or more notes, bills or other instruments in such a manner as to produce one or more notes or instruments, with intent to pass or utter all or any thereof as genuine; and any person who utters, publishes or passes the same or either of them with intent to defraud, is guilty of a felony, and in either case such person shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 309. Any person who fraudulently utters or passes any note or bill purporting to be the note or bill of a bank, company or association which never in fact legally existed, knowing that the bank, company or association purporting to have issued the same never legally existed, is guilty of a felony, and shall be imprisoned not exceeding fifteen years, or fined not exceeding seven thousand dollars, or both.

SECTION 310. Any person who makes, engraves or prepares, or has in his possession, custody or control any plate or substance made, engraved or prepared after the similitude of any plate or substance from which any note or bill issued by any bank incorporated under the laws of the United States or of this Commonwealth, or under the laws of any of

the States or territories of the Union, or of the District of Columbia shall have been taken or printed, or whereupon or by means whereof any note or bill may be made, printed or prepared after the similitude of any note or bill issued by any such bank; or made or prepared after the similitude of any plate or substance from which any obligation or other security of the United States, or any bond, note, coupon, or other instrument issued by this Commonwealth or any other State or territory of the Union, or by any corporation, company or individual, shall have been taken or printed, or wherefrom or by means whereof any obligation or other security of the United States or any bond, note, coupon or other instrument for the payment of money may be made, printed, or prepared after the similitude of such obligation or other security or of such bond, note, coupon or other instrument issued as aforesaid, with intent to use such plate or substance or cause or suffer the same to be used in forging or counterfeiting any of the instruments aforesaid; or passes, utters or publishes any such forged or counterfeit note, bill, coupon or other instrument, knowing the same to be false, forged or counterfeit; or has in his possession, custody or control any note, bill, bond, coupon or other instrument aforesaid made, printed, engraved or otherwise prepared after the similitude of any note, bill, bond, coupon or other instrument issued by the United States, or by this Commonwealth or by any of the States or territories of the Union, or by any corporation, company or individual with intent to pass, utter or publish such simulated note; or who has in his possession, custody or control any paper adapted to

the making of any such bill, note, bond, coupon or other instrument aforesaid and similar to the paper on which said obligations or evidences of debt shall have been issued, with intent to use such paper or suffer the same to be used in forging or counterfeiting any such instrument, is guilty of a felony, and shall be imprisoned not exceeding fifteen years, or fined not exceeding seven thousand dollars, or both.

SECTION 311. Any person who prints, writes, utters, publishes, sells, lends, gives away, circulates or distributes, or has in his possession with intent to publish, sell, lend, give away, circulate or distribute any letter, writing, circular, paper, pamphlet, hand bill or any other written or printed matter advertising, offering or purporting to advertise or offer for sale, loan, exchange, gift or distribution, or to furnish, procure or distribute any counterfeit coin, paper money, internal revenue stamp, postage stamp or any other token of value, or what purports to be counterfeit coin, paper money, internal revenue stamp, postage stamp or any other token of value, or giving or purporting to give information where, how, of whom, or by what means, any counterfeit coin, paper money, internal revenue stamp or postage stamp or token of value, can be procured or had, or what purports to be counterfeit coin, paper money, internal revenue stamp, postage stamp or other token of value can be procured or had, whether called "green articles," "queer coin," "paper goods," "bills," "spurious treasury notes," "United States goods," "green paper goods," "business that is not legitimate," "cigars," "green cigars," or by any other name or title, or any other device, is guilty of a felony.

and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 312. Any person who for executing, operating, promoting, carrying on, or in the aiding, assisting or abetting in the promoting, operating or carrying on, or executing of any scheme or device whatsoever to defraud, by use or means of any papers, writings, letters, circulars or written or printed matter, concerning the offering for sale, loan, gift, distribution or exchange of counterfeit coin, paper money, internal revenue stamp, postage stamp or other token of value as provided in section three hundred and eleven of this act, shall use any fictitious, false or assumed name or address other than his own right, proper and lawful name, or whoever in the executing, operating, promoting, carrying on, aiding, assisting or abetting, in the execution, promoting or carrying on of any scheme or device offering for sale, loan, gift or distribution, or purporting to offer for sale, loan, gift or distribution, or giving or purporting to give information, where, how, of whom or by what means any counterfeit coin, paper money, internal revenue stamp, postage stamp or other token of value can be had, knowingly receives or takes from the mails of the United States any letter or package addressed to any such fictitious, false or assumed name or address, or name other than his own right, proper or lawful name, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both. Any letter, circular, writing or paper offering or purporting to offer for sale, loan, gift or distribution, or giving or purporting to



give information, directly or indirectly, where, how, of whom or by what means, any counterfeit coin, paper money, internal revenue stamp, postage stamp or token of value may be obtained or had, or concerning any similar scheme or device to defraud the public whether such article, matter or thing is called "green articles," "bills," "business that is not legitimate," "spurious treasury notes," "United States goods," "green paper goods," "cigars," "green cigars," or by any other name, device or title of a similar character, shall be deemed presumptive proof of the fraudulent character of such scheme.

SECTION 313. Any person who falsely and fraudulently makes, forges or counterfeits the great or less seal of the Commonwealth, the seal of any court, office, county or corporation, or any other seal authorized by the law of the United States or this Commonwealth or of any other State or any territory of the United States; or who falsely and fraudulently utters or publishes any instrument or writing impressed with such forged or counterfeit seal, knowing the same to be forged or counterfeit, is guilty of a felony, and shall be imprisoned not exceeding seven years, or fined not exceeding three thousand dollars, or both.

SECTION 314. Any person who forges, or fraudulently defaces, alters, corrupts, withdraws, carries away, falsifies, discharges, secretes or avoids any record, charter, gift, grant, conveyance, contract, fine, forfeited recognizance or other forfeiture, or any registry, acknowledgment or certificate, or any minute, docu-



ment book or any proceeding filed or deposited by authority of law in any public office, or with any public officer of this Commonwealth or any sub-division thereof, is guilty of a felony, and shall be imprisoned not exceeding seven years, or fined not exceeding three thousand dollars, or both; and if such person be a public officer of this Commonwealth or any sub-division thereof, he shall in addition to the penalty above prescribed forfeit his office, and be forever disqualified from holding any office of trust, honor or profit under the constitution or laws of this Commonwealth.

SECTION 315. Any person who with intent to injure or defraud falsely makes, forges or alters, any telegram, letter or other written communication, paper or instrument by which making, forging or altering any other person is injured in his good name, standing, position or general reputation, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 316. Any person who issues or delivers any receipt or other paper by which it appears that any goods, wares or merchandise have been stored in any elevator or in any place designated by law for the storage of any goods, wares or merchandise, or delivered to any warehouseman, wharfinger or other bailee, unless the same has been so delivered and is at the time actually under the control of such warehouseman, wharfinger or bailee; and any person who issues or delivers any second or duplicate receipt or other such paper while any former receipt or other such

paper representing any goods, wares or merchandise shall be outstanding and uncalled, without writing across the face of the same the word "duplicate"; and any person who sells, encumbers, ships, transfers or removes beyond his immediate control any goods, wares or merchandise for which a receipt or other such paper aforesaid has been given by him, unless such receipt or other such paper bears on its face the words "not negotiable," or unless it is surrendered to be cancelled at the time of such sale, encumbrance, transfer or removal, or unless in the case of a partial delivery, a memorandum thereof is endorsed upon such paper, is guilty of a felony, and shall be imprisoned not exceeding five years, or fined not exceeding two thousand dollars, or both.

SECTION 317. Any person who counterfeits or fraudulently impresses or makes the brand, mark or any number or other mark of any public inspector, or a mark or number in imitation thereof, upon any article subject by law to inspection, or upon any cask, vessel or container containing such article, or upon any plug of such cask, vessel or container, or fraudulently puts any stamped plug into any cask, vessel or container, or fraudulently alters, defaces, conceals or erases any such inspection mark duly made; and any person who counterfeits or fraudulently impresses or makes upon any article subject by law to inspection, or upon any cask, vessel or container containing such article, the brand, mark or any number or other mark of any miller, manufacturer, packer or other person, or fraudulently alters, defaces or erases any such mark, or fraudulently impresses or makes the brand,

mark or any number or other mark of any person upon such article, cask, vessel or container, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars, or both.

SECTION 318. Any person who forges or counterfeits any private stamp, mark, wrapper or label resembling or apparently intended to resemble the private stamp, mark, wrapper or label usually affixed by any other person to or used by any other person on, or in the sale of, any goods, wares or merchandise, with intent to deceive or defraud such other person or the purchaser of any such goods, wares or merchandise, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 319. Any person who wilfully and unlawfully defaces, obliterates or removes any mark, letter or brand from any saw-log, board, shingle, bolt or lumber of any kind floating in or lodged upon the bank of any river or stream, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 320. Any person who has in his possession, custody or control any engraving or printed stamp, wrapper or label or any other representation, likeness, copy or imitation of the private stamp, mark, wrapper or label usually affixed by any other person to or used by any other person on or in the sale of any goods, wares or merchandise; or any die or plate

from which such engraving, stamp, wrapper, label or other representation may be made, with intent to use or sell the said die, plate, engraving, stamp, wrapper or label in aiding in vending any goods, wares or merchandise, in imitation of, or intended to resemble, or to be sold for the goods, wares, or merchandise of such other person, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 321. Any person who vends any goods, wares or merchandise having thereon any forged or counterfeit stamp, mark, wrapper or label of another, knowing the same to bear such forged or counterfeit stamp, mark, wrapper or label, without disclosing the fact to the purchaser thereof, is guilty of a misdemeanor, and shall be imprisoned not exceeding six months, or fined not exceeding three hundred dollars, or both.

SECTION 322. Any person who forges, counterfeits or imitates any duly registered trade-mark, label, symbol or private stamp of any association or union of persons authorized by law to register a trade-mark, label, symbol, or private stamp; or uses, displays, sells or offers for sale, any counterfeit or imitation of any such trade-mark, label, symbol or stamp; or uses any original or *bona fide* trade-mark, label, symbol or stamp, without authority from the association or union owning, controlling or having jurisdiction over the same, or after the license or authority to use the same has been rescinded or revoked by the association or union owning, controlling or having jurisdiction

over the same; or has in his possession, custody or control any such counterfeit trade-mark, label, symbol or stamp, with intent to use or sell the same in aiding in vending any goods, wares or merchandise; and any person who knowingly uses any such trade-mark, label, symbol or stamp of such association or union by placing the same on any goods, wares or merchandise which is not the product of members of such association or union; and any person who knowingly sells or offers for sale any goods, wares or merchandise on which such trade-mark, label, symbol or stamp is so wrongfully placed, is guilty of a misdemeanor, and shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both.

SECTION 323. Any person who with intent to defraud puts upon any article of merchandise or upon any cask, vessel, container, stopper, case, cover, wrapper, package, band, ticket, label or other thing covering or attached to such article or with which such article is intended to be sold, or is sold, any false description or other indication of or respecting the kind, number, quantity, weight or measure of such article or any part thereof, or the place or country where it was manufactured, made or produced, or the quality or grade of any such article, if the quality or grade thereof is required by law to be marked, branded or otherwise indicated on or with such article; or sells or offers for sale, or has in his possession, custody or control with intent to sell, any article which to his knowledge is falsely described or indicated in any of the ways aforesaid, or is otherwise misbranded



within the meaning of the word misbranded as defined by any act of assembly of this Commonwealth in force at the time, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

SECTION 324. Any person who knowingly falsely represents any article of food sold or offered or exposed for sale to be Kosher, or as having been prepared under and of a product sanctioned by the orthodox Hebrew religious requirements; or who knowingly falsely represents any such article to be so constituted or prepared, by inscribing or permitting to be inscribed thereon or on the container thereof the word "Kosher" in any language; or who falsely represents any such article to be so constituted by having the word "Kosher" inscribed in any language on his business establishment, is guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both.

## TITLE X.—GENERAL PROVISIONS.

SECTION 325. Every offense now punishable either by the statute or common law of this Commonwealth and not specially provided for by this act shall continue to be an offense and to be punishable as heretofore.

SECTION 326. The provisions of this act shall not affect any civil rights or remedies now existing by virtue of the common law or of any statute.

SECTION 327. The omission to specify or affirm in this act any liability to any damages, penalty, forfeiture or other remedy, imposed by law, and allowed to be recovered or enforced in any civil action or proceeding, for any act or omission declared punishable herein, does not affect any right to recover or enforce the same.

SECTION 328. On conviction of any person for stealing, or for robbery, or burglary in which it shall appear that the defendant also committed stealing, or for any other offense in which it shall appear that the defendant unlawfully and fraudulently took or obtained property, or received property knowing the same to have been stolen or unlawfully and fraudulently taken, the defendant shall, in addition to the penalty hereinbefore prescribed, for any such offense, be adjudged to restore to the owner the property taken or received, or to pay to him the value of the same or so much thereof as may not be restored. And on conviction of any person for forgery, uttering or publishing any forged or counterfeit coin, bank note, bill, check, obligation, security or other writing, the defendant shall in addition to the punishment hereinbefore prescribed for any such offense, be adjudged to make similar restitution, or other compensation, as in the case of stealing, to the person defrauded. Provided, that nothing herein shall prevent the party aggrieved, and to whom restitution is to be awarded, from being a competent witness on the trial of the offender.

SECTION 329. Every principal in the second degree, and every accessory before the fact, to any

felony, for whom no punishment is or shall be specially prescribed by law, is subject to the same punishment as the principal in the first degree to such felony; and every person who counsels, aids or abets the commission of any misdemeanor, for whom no punishment is or shall be specially prescribed by law, is liable to be proceeded against and punished as the principal offender, and every accessory after the fact to any felony for whom no punishment is or shall be specially prescribed by law, shall be imprisoned not exceeding two years, or fined not exceeding one thousand dollars, or both.

SECTION 330. Any person who conspires with another to commit an offense, the conspiracy to commit such offense not being otherwise specially provided against by an act of assembly of this Commonwealth in force at the time, is, if he conspire to commit an offense which is punishable by imprisonment for a term greater than ten years, guilty of a felony; if he conspire to commit an offense which is punishable by imprisonment for a term less than ten years, he is guilty of a misdemeanor, and shall be punished as follows: If he conspire to commit an offense which is punishable by death or by imprisonment for life, he shall be imprisoned not exceeding twenty years, or fined not exceeding ten thousand dollars, or both; if he conspire to commit an offense which is punishable by a lesser period of imprisonment than imprisonment for life, he shall be imprisoned not exceeding one-half of the longest term, or fined not exceeding one-half of the largest sum prescribed for the commission of the offense he conspired to commit, or by both such imprisonment and fine.

SECTION 331. Any person who attempts to commit an offense, the attempt to commit such offense not being otherwise specially provided against by an act of assembly of this Commonwealth, in force at the time, is, if he attempt to commit an offense which is punishable by imprisonment for a term greater than ten years, guilty of a felony; if he attempt to commit an offense which is punishable by imprisonment for a term less than ten years, he is guilty of a misdemeanor, and shall be punished as follows: If he attempt to commit an offense which is punishable by death or by imprisonment for life, he shall be imprisoned not exceeding twenty years, or fined not exceeding ten thousand dollars, or both. If he attempt to commit an offense which is punishable by a lesser period of imprisonment than imprisonment for life, he shall be imprisoned not exceeding one-half of the longest term or fined not exceeding one-half of the largest sum prescribed for the commission of the offense he attempted to commit, or by both such imprisonment and fine.

SECTION 332. Any person who solicits another to commit an offense, the solicitation to commit such offense not being otherwise specially provided against by an act of assembly of this Commonwealth, in force at the time, is, guilty of a misdemeanor, and shall be imprisoned not exceeding one year, or fined not exceeding five hundred dollars, or both; the term of imprisonment and the fine in any case not to exceed the term of imprisonment and the fine prescribed by law for the offense solicited.

SECTION 333. Any person convicted of any offense is, notwithstanding such conviction, a competent witness in any cause or proceeding, civil or criminal; but the conviction of such person may be proved for the purpose of affecting the weight of his testimony.

SECTION 334. Except in the case of one convicted for a second time of murder in the second degree, any person convicted of an offense punishable with imprisonment for a term less than the life of the offender, who after such conviction is convicted of an offense subjecting him to imprisonment for a term less than life, shall be imprisoned not exceeding double the whole period of time which is or shall be prescribed for the offense of which he is last convicted.

SECTION 335. The repeal of existing laws or modifications thereof embraced in this act shall not affect any act done, or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause prior to said repeal or modifications, but all liabilities under said laws shall continue and may be enforced in the same manner as if said repeal or modifications had not been made.

All offenses committed, and all penalties, forfeitures or liabilities incurred prior to the taking effect hereof, under any law embraced in or changed, modified, or repealed by this act, may be prosecuted and punished in the same manner and with the same affect as if this act had not been passed.

SECTION 336. The unconstitutionality of any section or sections of this act shall not affect the validity



of any other sections of the act or of the act as a whole.

SECTION 337. This act may be cited as "The Penal Code of 1925."

SECTION 338. In this act, and in any indictment for any offense provided against in this act, the following terms shall be construed as defined in this section, except where a different intent is plainly declared in the provision to be construed, or is plainly apparent from the context thereof:

1. The term "offense" means any act or omission punishable either on indictment or information, whether such act be treason, felony or misdemeanor.

2. The terms "person," "any person," "any one," "the person," "every person," "such person," "other," "another" and the relative pronoun "he" referring to any of the above terms, unless the contrary is expressed or clearly to be implied, from the context, includes a natural person, a corporation, partnership, limited partnership, company and joint stock company, and extends to more persons than one, and to females as well as males.

3. Terms denoting the masculine gender include the feminine; and terms denoting the singular number include the plural.

4. The term "sub-division of this Commonwealth" includes a county, city, borough, township, municipality and incorporated district.

5. The terms "flag, standard, color, ensign, shield" as used in sections five and six of this act mean: Any flag, standard, color, ensign, or shield on

copy, picture, or representation thereof, made of any substance or represented or produced on any substance and of any size, evidently purporting to be such flag, standard, color, ensign or shield of the United States of America or of this Commonwealth, or a copy, picture or representation thereof.

6. The term "public officer" means any person elected or appointed to discharge a public duty, who has qualified for such duty.

7. The term "a bribe" means any money, goods, right in action, property, thing of value, benefit or advantage, testimonial, privilege, appointment, office or position, present or prospective, or any promise or undertaking to give any such, asked, given or accepted with intent to influence unlawfully the person to whom it is given, or by whom it is asked or accepted, or another at his instance, in his action, vote or opinion.

8. The term "public election" includes the taking of a vote to select a person for public office or to be a candidate for public office or to be a delegate to select such person; and also includes the taking of a vote on a proposed amendment to the constitution, a vote to select delegates to a constitutional convention and a vote upon any other question submitted by law to the electors of the Commonwealth.

9. The term "prison" means any building or place designated by law for the keeping or detention of persons in custody under process of law, or under any lawful arrest.

10. The term "imprisoned" means confined in a prison.

11. The term "prisoner" means any person held or detained in custody under process of law, or under any lawful arrest.

12. The term "escape" means the act of a prisoner in gaining his liberty before he is delivered in due course of law.

13. The term "day" or "day-time" means the period of time between sunrise and sunset.

14. The term "night" or "night-time" means the period of time between sunset and sunrise.

15. The term "prostitution" means the offering or using of the body for sexual intercourse for hire.

16. The term "assignation" means the making of an appointment or engagement for prostitution, or any act in the furtherance of such appointment or engagement.

17. The term "dwelling" or "dwelling house" means a building the whole or any part of which is usually occupied by a person lodging therein at night and any building within the curtilage of such house.

18. The term "building" includes a railway car, ship, booth, tent, shop, or other erection or part thereof.

19. The term "writing" or "written" includes words printed, carved, painted, engraved, lithographed, photographed or otherwise copied, traced or made visible to the eye, and also includes any picture.

20. The term "obligation or other security of the United States" means all bonds, certificates of indebtedness, national bank currency, coupons, United States notes, Treasury notes, gold certificates, silver certificates, fractional notes, certificates of deposit, bills, checks or drafts for money, drawn by or upon

authorized officers of the United States, stamps and other representatives of value, of whatever denomination, which have been or may be issued under any act of Congress.

21. The term "lottery" means any scheme for the disposal or distribution of property by chance among persons who have paid or have promised to pay a valuable consideration for the chance of obtaining such property or a portion of it, or for any share or interest in such property, upon any agreement, understanding or expectation that it is to be distributed or disposed of by lot or chance.

22. The term "property" as used in Sections two hundred, two hundred and one, two hundred and two, two hundred and three, two hundred and four, two hundred and five, two hundred and seven, two hundred and nine, two hundred and ten includes every kind of property other than real property, and includes real property and fixtures thereto when severed from the land whether the severance was by the hand of the thief or of another, and whether the asportation followed immediately on the taking, or not; it includes all deeds and instruments relating to or evidencing the title or right to any property real or personal, or giving a right to recover or receive any money or goods, and all other choses in action; it also includes any release, acquittance, voucher, receipt or ticket, policy of insurance, or certificate of membership in any insurance company.

23. The term "food" includes all articles used for food or drink by man whether simple, mixed or compound. It does not include medicine.

24. The term "credit" as used in Section two

hundred and twenty-one means any arrangement or understanding with the bank, banking institution, trust company or depository, for the payment of the check, draft or order mentioned in said section.

25. The term "ship" means any boat, ship, vessel or structure of any size adapted to be navigated from place to place for the transportation of persons or merchandise.

26. The term "trustee" means a trustee on some express trust created by deed, will or instrument in writing and also includes the heir, devisee and personal representative of any such trustee, and all executors, administrators and assignees, and any guardian appointed by any court.

27. The term "woodland" includes woods, farmers' wood lots, marshes, brush, barrens, brush-lands, moors and wild, unseeded, uncultivated lands.

28. The term "injure" includes destroy.

29. The term "wantonly" means without regard to propriety or the rights or safety of others or careless of consequences, yet without settled malice. It requires intent to do the act it characterizes and excludes a lawful justification or excuse; it includes "wilfully."

30. The term "wilfully" means intentionally as distinguished from accidentally or thoughtlessly or negligently.

31. The term "unlawfully" means contrary to law, or illegal, or not permitted by either civil or criminal law. If an act subjects the doer either to a penalty or to damages, it is unlawful.

32. The term "maliciously" as used in sections of this act relating to injury to property, means with



ill will or malevolence, or grudge, or spite or enmity, or anger either to the owner of the property, or to the property itself. It includes "wilfully."

33. The term "sells" includes barters and exchanges.

SECTION 339. The following acts of assembly, and parts thereof and all other parts of the penal laws of this Commonwealth, in so far as the same are altered and supplied by this act are and the same are hereby repealed. The repeal of the first section of an act shall not repeal the enacting clause thereof.

Section twenty-eight of an act entitled "An act for establishing a health office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes," approved January twenty-ninth, one thousand eight hundred and eighteen.

Section one of an act entitled "A further supplement to the act entitled 'An act for the prevention of vice and immorality and of unlawful gaming, and restraining disorderly sports and dissipation,' passed twenty-second April, seventeen hundred and ninety-four," approved March twelfth, one thousand eight hundred and thirty.

Section one of an act entitled "A resolution providing for the resumption of specie payments by the banks, and for other purposes, approved April third, one thousand eight hundred and forty.

Section two of an act entitled "An act relating to investigations into the affairs of banks or savings in-

stitutions applying to the legislature for re-charter," approved January twenty-sixth, one thousand eight hundred and forty-nine.

Section three of an act entitled "A supplement to the act entitled 'An act regulating turnpike and plank road companies,' approved January the twenty-sixth, Anno Domini, one thousand eight hundred and forty-nine," approved April seventh, one thousand eight hundred and forty-nine.

Section five of an act entitled "A supplement to the road laws of this commonwealth; and to incorporate the Mutual fire insurance company of Lawrence County," approved April twenty-sixth, one thousand eight hundred and fifty.

Section four of an act entitled "An act to protect certain domestic and private rights, and prevent abuses in the sale and use of intoxicating drinks," approved May eighth, one thousand eight hundred and fifty-four.

Section one of an act entitled "An act relating to city, county and township treasurers," approved May sixteenth, one thousand eight hundred and fifty-seven.

An Act, entitled "An act to consolidate, revise, and amend the penal laws of this Commonwealth," approved March thirty-first, one thousand eight hundred and sixty.

An act entitled "An act for the suppression of fortune telling and similar purposes," approved April eighth, one thousand eight hundred and sixty-one.

Sections one and two of an act entitled "An act supplementary to an act entitled 'An act to consolidate,

revise and amend the penal laws of this commonwealth,' approved March thirty-first, one thousand eight hundred and sixty," approved April eighteenth, one thousand eight hundred sixty-one.

An act entitled "An act supplementary to an act to consolidate, revise and amend the penal laws of this commonwealth, passed the thirty-first day of March, Anno Domini, one thousand eight hundred and sixty," approved May first, one thousand eight hundred and sixty-one.

Section thirty-six of an act entitled "Supplement to an act to establish a system of free banking in Pennsylvania and to secure the public against loss from insolvent banks, approved March thirty-first, one thousand eight hundred and sixty," approved May first, one thousand eight hundred and sixty-one.

Section four of an act entitled "A further supplement to an act to establish a board of wardens for the port of Philadelphia, and for the regulation of pilots and pilotages, and for other purposes therein mentioned, passed twenty-ninth of March, Anno Domini, one thousand eight hundred and three,' approved May fourteenth, one thousand eight hundred and sixty-one.

Section seventeen of an act entitled "A further supplement to the act entitled 'An act for the regulation and continuance of a system of education by common schools,' approved the eighth day of May, one thousand eight hundred and fifty four," approved April eleventh, one thousand eight hundred and sixty-two.

Section one of an act entitled "A supplement to an act to provide for the incorporation of insurance companies, approved the second day of April, Anno Domini, one thousand eight hundred and fifty-six," approved April eleventh, one thousand eight hundred and sixty-two.

Sections one and two of an act entitled "A supplement to the act to consolidate, revise and amend the penal laws of this commonwealth, approved the thirty-first day of March, one thousand eight hundred and sixty," approved April twenty-second, one thousand eight hundred and sixty-three.

Section one of an act entitled "An act to punish the fraudulent receiving of money on deposit," approved April twenty-second, one thousand eight hundred and sixty-three.

Section three of an act entitled "An act to prevent fraud upon travellers," approved May sixth, one thousand eight hundred and sixty-three.

Section one of an act entitled "An act to punish the recruiting of men for the volunteer service of other states," approved March eleventh, one thousand eight hundred and sixty-four.

Section three of an act entitled "An act to promote the establishment of district and school libraries," approved May fifth, one thousand eight hundred and sixty-four.

Section one of an act entitled "A further supplement to an act to incorporate the city of Philadelphia, relating to fire alarm and police telegraph," approved

February twenty-eighth, one thousand eight hundred and sixty-five.

An act entitled "An act to promote the safety of travellers on railroads and to punish negligent and careless employees thereof," approved March twenty-second, one thousand eight hundred and sixty-five.

Section three of an act entitled "An act to provide for the payment of gratuities and annuities to the soldiers of the war of one thousand eight hundred and twelve, and to their widows," approved March thirtieth, one thousand eight hundred and sixty-six.

Sections one and three of an act entitled "An act to prevent the extension of disease among cattle," approved April twelfth, one thousand eight hundred and sixty-six.

Sections one, two and three of an act entitled "A supplement to an act to revise, consolidate and amend the penal laws of this commonwealth, so as to punish frauds upon the national currency, as well as that of the state, and forging, or uttering forged instruments," approved January seventh, one thousand eight hundred and sixty-seven.

Section two of an act entitled "An act making it an offense for railroad corporations, within this commonwealth, to make any distinction with their passengers, on account of race or color, and punishing said corporations, and their agents and employees, for the commission of such offense," approved March twenty-second, one thousand eight hundred and sixty-seven.

An act entitled "An act to prevent and punish



prize fighting," approved March twenty-second, one thousand eight hundred and sixty-seven.

An act entitled "An act for the prevention of the mutilation and destruction of show bills, placards, posters, programmes, announcements, *et cetera*, and for the protection of the proprietors of places of amusement, merchants, manufacturers and others in the city of Philadelphia and county of Centre," approved April second, one thousand eight hundred and sixty-nine.

Section one of an act entitled "An act to prevent the injury or destruction of baggage within the limits of the state of Pennsylvania," approved February twelfth, one thousand eight hundred and seventy.

An act entitled "A further supplement to the act entitled 'An act to consolidate, revise and amend the penal laws of this commonwealth,' approved March thirty-first, one thousand eight hundred and sixty," approved February twenty-fourth, one thousand eight hundred and seventy.

An act entitled "An act to prevent and punish publication of obscene advertisements and the sale of noxious medicines," approved March sixteenth, one thousand eight hundred and seventy.

An act entitled "An act supplementary to an act entitled 'An act to consolidate, revise and amend the laws of this commonwealth relating to penal proceedings and pleadings,' approved the thirty-first day of March, Anno Domini, one thousand eight hundred and sixty," approved April second, one thousand eight hundred and seventy.

Section nine of an act entitled "A further supplement to the act relating to elections in this commonwealth," approved April sixth, one thousand eight hundred and seventy.

An act entitled "An act to punish the sale and transfer of mineral water bottles and other bottles, and for the protection of bottlers and vendors of mineral water and other beverages in this commonwealth," approved April ninth, one thousand eight hundred and seventy.

An act entitled "An act to prohibit the sale of academic degrees," approved May nineteenth, one thousand eight hundred and seventy-one.

An act entitled "An act amendatory to an act, entitled 'An act for the punishment of cruelty to animals in this commonwealth,' approved March twenty-ninth, one thousand eight hundred and sixty-nine," approved June second, one thousand eight hundred and seventy-one.

An act entitled "An act to punish witnesses who refuse or neglect to appear and testify before legislative committees," approved March fourteenth, one thousand eight hundred and seventy-two.

An act entitled "A further supplement to an act entitled 'An act for the punishment of cruelty to animals in this commonwealth,' approved March twenty-ninth, one thousand eight hundred and sixty-nine," approved April third, one thousand eight hundred and seventy-two.

Section two of an act entitled "An act to regulate the execution and transfer of notes given for patent rights," approved April twelfth, one thousand eight hundred and seventy-two.

An act entitled "An act defining the offense of corrupt solicitation of members of assembly, state, county, election, municipal, or other public officers, and prescribing the punishment therefor," approved April twenty-ninth, one thousand eight hundred and seventy-four.

Section thirty-four, clause six, of an act entitled "An act to provide for the incorporation and regulation of certain corporations," approved April twenty-ninth, one thousand eight hundred and seventy-four.

An act entitled "An act to prevent traffic in children," approved May fifteenth, one thousand eight hundred and seventy-four.

Sections eight, nine and twelve of an act entitled "An act dividing the cities of this state into three classes, regulating the passage of ordinances, providing for contracts for supplies and work for said cities, authorizing the increase of indebtedness, and the creation of a sinking fund to redeem the same, defining and punishing certain offenses in all of said cities, and providing for the incorporation and government of cities of the third class," approved May twenty-third, one thousand eight hundred and seventy-four.

An act entitled "A supplement to the act approved March thirty-first, one thousand eight hundred and sixty, entitled, 'An act to consolidate, revise and amend the penal laws of this commonwealth,' further defining the offense of kidnapping and affixing additional penalties thereto," approved February twenty-fifth, one thousand eight hundred and seventy-five.

An act entitled "An act to punish persons for carrying concealed weapons within this common-

wealth," approved March eighteenth, one thousand eight hundred and seventy-five.

Section four of an act entitled "An act to carry into effect section five of article fourteen of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury, in counties containing over one hundred and fifty thousand inhabitants," approved March thirty-first, one thousand eight hundred and seventy-six.

Section one of an act entitled "An act to prevent fraud and fraudulent practices upon or by hotel keepers, inn keepers and boarding house keepers," approved April twentieth, one thousand eight hundred and seventy-six.

An act entitled "An act regulating the selling of baled hay, et cetera, in this commonwealth," approved May eighth, one thousand eight hundred and seventy-six.

An act entitled "An act to prevent the defiling of ice upon ponds, streams, rivers, creek and canals owned or leased for the production of ice for sale," approved May eighth, one thousand eight hundred and seventy-six.

An act entitled "A further supplement to an act to consolidate, revise and amend the penal laws of this commonwealth, approved March thirty-first, one thousand eight hundred and sixty, defining and providing for the punishment of the offenses of unlawfully obtaining the key or means used to open any bank, vault, safe or other depository," approved May eighth one thousand eight hundred and seventy-six.

An act entitled "An act to punish persons for pointing or discharging firearms at other persons within this commonwealth" approved May eighth, one thousand eight hundred and seventy-six.

Section nineteen of an act entitled "An act for the incorporation and regulation of banks of discount and deposit," approved May thirteenth, one thousand eight hundred and seventy-six.

An act entitled "An act to provide for the better protection of passengers upon railroads, and to insure the prompt transportation and delivery of freights," approved March twenty-second, one thousand eight hundred and seventy-seven.

An act entitled "An act to provide for the arrest and punishment of persons carrying dangerous substances upon public conveyances," approved May twenty-third, one thousand eight hundred and seventy-eight.

An act entitled "An act to prevent the wanton use of poisons," approved May twenty-third, one thousand eight hundred and seventy-eight.

Sections one, two, three, four and five of an act entitled "An act supplementary to an act entitled 'An act to consolidate, revise and amend the penal laws of this commonwealth,' approved the thirty-first day of March, Anno Domini, one thousand eight hundred and sixty," approved June twelfth, one thousand eight hundred and seventy-eight.

An act entitled "An act extending protection to foreign and domestic insurance companies from fraudulent agents," approved June seventeenth, one thousand eight hundred and seventy-eight.



An act entitled "An act to define and punish tramps," approved April thirtieth, one thousand eight hundred and seventy-nine.

Sections one and two of an act entitled "An act for the protection of the aids to navigation established by the authority of the United States lighthouse board within the state of Pennsylvania," approved May thirteenth, one thousand eight hundred and seventy-nine.

An act entitled "A supplement to section sixty-eight of an act entitled 'An act to consolidate, revise and amend the penal laws of the commonwealth of Pennsylvania,' passed March, Anno Domini, one thousand eight hundred and sixty, in relation to the violation of sepulchres in this commonwealth," approved May nineteenth, one thousand eight hundred and seventy-nine.

An act entitled "An act to define the terms, sodomy and buggery, as used in the laws of this commonwealth," approved June eleventh, one thousand eight hundred and seventy-nine.

Section one of an act entitled "An act to prevent the burning of the woods in any of the counties of this commonwealth," approved June eleventh, one thousand eight hundred and seventy-nine.

An act entitled "An act to protect fruit, gardens, growing crops, et cetera, and punish trespass," approved June eighth, one thousand eight hundred and eighty-one.

An act entitled "An act to prohibit the defacing of walls, fences and trees by painting, posting or otherwise, and providing a penalty therefor," ap-

proved June eighth, one thousand eight hundred and eighty-one.

An act entitled "An act to punish frauds upon life insurance companies by agents, physicians and others," approved June tenth, one thousand eight hundred and eighty-one.

An act entitled "An act to prohibit sale to any person under sixteen years of age of deadly weapons, gunpowder and explosive substances in the commonwealth of Pennsylvania," approved June tenth, one thousand eight hundred and eighty-one.

An act entitled "An act declaring that the possession as tenant or otherwise at the time of the commission of the offense shall not exempt him from conviction and punishment for arson," approved June tenth, one thousand eight hundred and eighty-one.

Section nine of an act entitled "An act to abolish the office of the collector of all outstanding or delinquent taxes, to authorize and empower the receiver of taxes to collect the delinquent taxes, and to provide for the more efficient collection of said delinquent taxes, in cities of the first class," approved April nineteenth, one thousand eight hundred and eighty-three.

Section three of an act entitled "An act to enforce the provision of the seventeenth article of the constitution relative to railroads and canals," approved June fourth, one thousand eight hundred and eighty-three.

An act entitled "An act to prevent the obstruction of the navigable streams of this commonwealth," approved June thirteenth, one thousand eight hundred and eighty-three.

An act entitled "An act to prohibit political parties, committees or members thereof from assessing upon or demanding from public officials, contributions for political purposes in the several counties of this commonwealth," approved June thirteenth, one thousand eight hundred and eighty-three.

An act entitled "An act to enable officers, soldiers, sailors and marines of the United States army or navy to recover possession of their commissions or discharges, and providing a fine and punishment for withholding the same from the owners thereof," approved April thirtieth, one thousand eight hundred and eighty-five.

Section eighteen of an act entitled "An act to provide for the incorporation and regulation of natural gas companies," approved May twenty-ninth, one thousand eight hundred and eighty-five.

An act entitled "An act to punish co-partners for fraudulently appropriating the property or using the name of the co-partnership, corporation or association," approved June third, one thousand eight hundred and eighty-five.

An act entitled "An act to punish defaulting tax collectors," approved June third, one thousand eight hundred and eighty-five.

An act entitled "An act to make it a misdemeanor for any member of a co-partnership, firm or association to keep fraudulent accounts, or destroy or mutilate the books of the co-partnership, firm or association," approved June fourth, one thousand eight hundred and eighty-five.

An act entitled "An act to prevent the establishment of joints, booths or other places, for the smoking

or other use of opium," approved June tenth, one thousand eight hundred and eighty-five.

An act entitled "An act to prohibit the manufacture and sale of toy deadly weapons in the commonwealth of Pennsylvania," approved June eleventh one thousand eight hundred and eighty-five.

An act entitled "A supplement to an act to consolidate, revise and amend the penal laws of the commonwealth, approved the thirty-first day of March, Anno Domini, one thousand eight hundred and sixty," approved June twenty-third, one thousand eight hundred and eighty-five.

An act entitled "An act to prevent the wilfully cutting, mutilating, or otherwise injuring any book, volume, map, chart, magazine, newspaper, painting, engraving or statuary in public libraries, museums or galleries," approved June twenty-third, one thousand eight hundred and eighty-five.

An act entitled "An act for the protection of livery stable keepers," approved March twenty-second, one thousand eight hundred and eighty-seven.

Section fifty-three of an act entitled "An act to provide for the organization, discipline and regulation of the National Guard of Pennsylvania," approved April thirteenth, one thousand eight hundred and eighty-seven.

An act entitled "An act to prevent and punish the making and dissemination of obscene literature and other immoral and indecent matter," approved May sixth, one thousand eight hundred and eighty-seven.

An act entitled "An act to prevent the mutilation, destruction, tearing down or removing of any show bills, placard, programme, poster or other ad-



vertisement," approved May sixth, one thousand eight hundred and eighty-seven.

An act entitled "A supplement to an act entitled 'An act to consolidate, revise and amend the penal laws of this commonwealth,' approved the thirty-first day of March, one thousand eight hundred and sixty, amending the ninety-first section thereof, defining rape and carnal knowledge of female children and prescribing the penalty therefor," approved May nineteenth, one thousand eight hundred and eighty-seven.

An act entitled "An act to provide civil rights for all people, regardless of race or color," approved May nineteenth, one thousand eight hundred and eighty-seven.

An act entitled "An act to punish false pretenses in obtaining registration of cattle and other animals, and to punish giving false pedigrees," approved May nineteenth, one thousand eight hundred and eighty-seven.

An act entitled "An act to amend an act entitled 'An act to prevent the wilfully cutting, marking, mutilating or otherwise injuring any book, volume, map, chart, newspaper, painting, engraving, or statuary in public libraries, museums or galleries,' approved June twenty-third, one thousand eight hundred and eighty-five, extending the provisions thereof to libraries, museums or galleries attached to or controlled by institutions incorporated under the laws of this commonwealth," approved May nineteenth, one thousand eight hundred and eighty-seven.

An act entitled "An act relating to saw logs and lumber, floating in or lodged upon the banks of rivers



and streams of this commonwealth," approved May twenty-third, one thousand eight hundred and eighty-seven.

An act entitled "A supplement to an act entitled 'An act to consolidate, revise and amend the penal laws of this commonwealth,' approved the thirty-first of March, one thousand eight hundred and sixty, relating to breaking or entering cars or locomotives and providing penalties therefor," approved May twenty-third, one thousand eight hundred and eighty-seven.

Section four of an act entitled "An act to authorize the councils of cities of the first class of the commonwealth to appropriate annually a sum not exceeding five hundred dollars for the support and maintenance of each company of the National Guard using or occupying an armory, building, room or quarters within said cities, in addition to the annual appropriation by the legislature," approved May twenty-fourth, one thousand eight hundred and eighty-seven.

Section five of an act entitled "An act to authorize the Adjutant General to supply the posts of the Grand Army of the Republic, and the camps of the Sons of Veterans, United States, America, located within the state, with such arms and accoutrements as may belong to the state and not be necessary for the equipment of the National Guard," approved June first, one thousand eight hundred and eighty-seven.

Section three of an act entitled "An act for the encouragement of forest culture and providing penal-

ties for the injury and destruction of forests," approved June first, one thousand eight hundred and eighty-seven.

Section nineteen of an act entitled "An act to encourage and authorize the formation of co-operative associations, productive and distributive, by farmers, mechanics, laborers and other persons," approved June seventh, one thousand eight hundred and eighty-seven.

An act entitled "An act to prevent persons from unlawfully using or wearing the insignia or rosette of the military order of the Loyal Legion of the United States, or the badge or button of the Grand Army of the Republic, or the badge or shield of the Union Veteran Legion," approved March eighth, one thousand eight hundred and eighty-nine.

Sections one, three and five of an act entitled "An act to prevent and punish the wrongful use or detention or misappropriation of milk cans, butter tubs and market boxes from the owners thereof, and the mutilation or obliteration of the name or residence of the owner of such cans, tubs or boxes," approved May fourth, one thousand eight hundred and eighty-nine.

An act entitled "An act to prohibit the sale of cigarettes to persons under the age of sixteen years, and prescribing the punishment for the same," approved May seventh, one thousand eight hundred and eighty-nine.

An act entitled "An act prohibiting the printing or circulating of publications offering for sale, et cetera, counterfeit coin, paper money, et cetera," ap-

proved May eighth, one thousand eight hundred and eighty-nine.

An act entitled "An act forbidding the refilling of or dealing or trafficking in, registered bottles, by persons other than the owners thereof, without the written permission of the owner, declaring it to be a misdemeanor so to do, imposing a penalty therefor, and providing what shall be prima facie proof thereof," approved May eighth, one thousand eight hundred and eighty-nine.

An act entitled "An act relating to the receiving of deposits by insolvent bankers, brokers or any officer of a bank, national, state or private, defining the offense and providing a punishment therefor," approved May ninth, one thousand eight hundred and eighty-nine.

An act entitled "An act to provide for the punishment of persons injuring or defacing statues and monuments erected by authority of or within the commonwealth, altering, defacing or adding to the inscriptions thereon," approved May ninth, one thousand eight hundred and eighty-nine.

Sections six and seven of an act entitled "An act to authorize the chartering of associations of employees and to provide punishment for the fraudulent appropriation or use of their money," approved May thirteenth, one thousand eight hundred and eighty-nine.

Sections eight, nine, eleven, twelve and fourteen of article four of an act entitled "An act providing for the incorporation and government of cities of the

third class," approved May twenty-third, one thousand eight hundred and eighty-nine.

An act entitled "An act defining the offense of taking a human life through the wilful and malicious wrecking of cars and locomotives upon railroads in this commonwealth," approved May twenty-sixth, one thousand eight hundred and ninety-one.

An act entitled "An act amending section seventy-six of an act to consolidate, revise and amend the penal laws of this commonwealth, approved March thirty-first, one thousand eight hundred and sixty, increasing the maximum punishment for the first conviction of murder in the second degree to twenty years," approved April fourteenth, one thousand eight hundred and ninety-three.

An act entitled "An act relative to the appointing of special deputies, marshals or policemen by sheriffs, mayors or the persons authorized by law to make such appointments, and by individuals, associations or corporations, incorporated under the laws of this State, or any other State of the United States, making it a misdemeanor for persons to exercise the functions of such officers without authority," approved May twenty-ninth, one thousand eight hundred and ninety-three.

An act entitled "An act to provide for the punishment of persons wilfully procuring the publication of false statements," approved June third, one thousand eight hundred and ninety-three.

An act entitled "An act to amend the one hundred and eightieth section of an act entitled 'An act to consolidate, revise and amend the penal laws of this commonwealth,' approved the thirty-first day of

March, one thousand eight hundred and sixty, so as to make the said section applicable to all penal laws of this commonwealth," approved June third, one thousand eight hundred and ninety-three.

An act entitled "An act to prevent entering of trotting or pacing horses out of their classes," approved June sixth, one thousand eight hundred and ninety-three.

An act entitled "An act to punish pool-selling, receiving and transmitting bets or aiding in pool-selling or betting," approved May twenty-second, one thousand eight hundred and ninety-five.

An act entitled "An act to prohibit giving and raising a false alarm of fire in the commonwealth of Pennsylvania," approved May twenty-second, one thousand eight hundred and ninety-five.

An act entitled "An act to amend an act entitled 'An act to protect fruit, gardens, growing crops, grass, et cetera, and punish trespass,' approved the eighth day of June. Anno Domini, one thousand eight hundred and eighty-one. so as to protect berries and nuts by punishing trespass," approved June eighteenth, one thousand eight hundred and ninety-five.

An act entitled "An act to prohibit the illicit conveyance of articles into and from the Pennsylvania Industrial Reformatory," approved June twenty-fourth, one thousand eight hundred and ninety-five.

An act entitled "An act declaring it to be a misdemeanor to trespass on certain enclosed land of a water company, and providing that any watchman of a water company or any constable or policeman duly authorized to make arrests may arrest without



warrant," approved June twenty-fourth, one thousand eight hundred and ninety-five.

An act entitled "An act to prevent the pollution of the waters of streams supplying centers of population by the use of land for burial purposes within prescribed limits," approved June twenty-fourth, one thousand eight hundred and ninety-five.

An act entitled "An act to amend an act entitled 'An act to prevent persons from unlawfully using or wearing the insignia or rosette of the military order of the Loyal Legion of the United States, or the badge or button of the Grand Army of the Republic, or the badge or shield of the Union Veteran Legion, and providing for the summary conviction of offenders under the same,'" approved June twenty-fifth, one thousand eight hundred and ninety-five.

An act entitled "An act for the protection of railroad travellers, defining the crime of train robbery and punishing the same," approved June twenty-fifth, one thousand eight hundred and ninety-five.

An act entitled "An act to prohibit exhibitions of physical or mental deformities in certain public places," approved June twenty-fifth, one thousand eight hundred and ninety-five.

An act entitled "An act to prevent the interference of unauthorized persons with electrical conductors and electrical appliances and machinery of companies using, generating or supplying electricity for light, heat or power," approved June twenty-fifth, one thousand eight hundred and ninety-five.

An act entitled "An act to protect the property of natural gas companies and other furnishers of gas, and the interest of consumers of gas," approved June

twenty-sixth, one thousand eight hundred and ninety-five.

An act entitled "An act punishing the printing, posting and distributing any libelous circulars or poster or other written or printed paper," approved June twenty-sixth, one thousand eight hundred and ninety-five.

An act entitled "An act to amend an act entitled 'An act to prevent any life insurance company, or agent thereof, doing business in Pennsylvania, from making or permitting any distinction or discrimination in favor of individuals between insurants of the same class and equal expectation of life, in the amount or payment of premiums or rates charged for policies of life or endowment insurance and providing a penalty for violation thereof,' approved the seventh day of May, Anno Domini, one thousand eight hundred and eighty-nine, extending its provisions so as to include insurants and enlarging the penalty for the violation thereof," approved July second, one thousand eight hundred and ninety-five.

An act entitled "An act to protect the American flag from insult and degradation," approved April twenty-ninth, one thousand eight hundred and ninety-seven.

An act entitled "An act to prohibit any person from falsely representing himself to be or falsely assuming to act as a detective or any elective or appointed officer within the commonwealth of Pennsylvania, and prescribing the penalty therefor," approved May fifth, one thousand eight hundred and ninety-seven.

An act entitled "An act to prevent and punish the loan, gift, sale or distribution of indecent and immoral writings, printings, pictures, photographs, or representations of all matters of an indecent or immoral character, and of all articles, drugs, recipes, et cetera, to prevent conception, or to produce unlawful abortion, or intended or purporting to be used for such purposes, or either of them, and also to prevent the advertisement, exhibition or publication of the same, and to authorize the seizure and destruction of all such matters," approved May twelfth, one thousand eight hundred and ninety-seven.

An act entitled "An act for the protection of public school houses and other buildings used and occupied for public school purposes, out-buildings thereof and public school property," approved May nineteenth, one thousand eight hundred and ninety-seven.

An act entitled "An act punishing the sending of anonymous communications of a libelous, defamatory, scurrilous or opprobrious nature," approved May twenty-fifth, one thousand eight hundred and ninety-seven.

An act entitled "An act to amend an act making it a misdemeanor to levy blackmail or extort money or other valuable thing by threats, charges or accusations, and fixing the penalty therefor," approved May twenty-seventh, one thousand eight hundred and ninety-seven.

An act entitled "An act to protect employees of corporations in their right to form, join or belong to labor organizations by prescribing penalties for any

interference therewith," approved June fourth, one thousand eight hundred and ninety-seven.

An act entitled "An act to prevent the wearing of the badge or button of any labor or fraternal organization by others than members and fixing a penalty for the same," approved June tenth, one thousand eight hundred and ninety-seven.

An act entitled "An act for the better protection of employees in and about the coal mines by preventing mine superintendents, mine foremen and assistants from receiving or soliciting any sums of money or other valuable consideration from men while in their employ, and providing a penalty for violation of the same," approved June fifteenth, one thousand eight hundred and ninety-seven.

An act entitled "An act to regulate the sale of goods marked 'gold' or 'solid gold,'" approved June fifteenth, one thousand eight hundred and ninety-seven.

An act entitled "An act to regulate the sale of goods marked 'sterling' or 'sterling silver' or 'coin' or 'coin silver,'" approved June twenty-second, one thousand eight hundred and ninety-seven.

An act entitled "An act making it a misdemeanor for persons to obtain, or attempt to obtain, positions of trust, or solicit alms by fraud or misrepresentation, and providing a penalty for the same," approved June twenty-second, one thousand eight hundred and ninety-seven.

An act entitled "An act making unlawful the wilful injury to or destruction of side paths in this commonwealth, declaring such injury to be a misdemeanor, and providing for the punishment thereof,"

approved April twenty-eighth, one thousand eight hundred and ninety-nine.

An act entitled "An act to punish the buying or receiving of junk, rope, scrap, iron, brass or other metals from minors, unknown or irresponsible parties," approved May fifth, one thousand eight hundred and ninety-nine.

Section two of an act entitled "An act to establish a Department of Forestry, to provide for its proper administration to regulate the acquisition of land for the Commonwealth, and to provide for the control, protection and maintenance of forestry reservations by the Department of Forestry," approved February twenty-fifth, one thousand nine hundred and one.

An act entitled "An act amending the second section of an act entitled 'A supplement to an act to consolidate, revise and amend the penal laws of this Commonwealth,' approved the thirty-first day of March, one thousand eight hundred and sixty, approved the twenty-second day of April, one thousand eight hundred and sixty-three, increasing the penalty thereof," approved March thirteenth, one thousand nine hundred and one.

Sections one and four of an act entitled "An act relating to criminal prosecutions and civil suits for libel, and repealing the act entitled 'An act relating to libel and its punishment,' approved July first, one thousand eight hundred and ninety-seven," approved April eleventh, one thousand nine hundred and one.

An act entitled "An act to punish kidnappers,



their aiders, assistors and abettors," approved April fourth, one thousand nine hundred and one.

An act entitled "An act to define and punish the crime of giving or administering any drug, narcotic or anaesthetic agent to persons by mixing the same with any food or drink, with felonious intent," approved April twenty-fourth, one thousand nine hundred and one.

An act entitled "An act to protect children and making it a misdemeanor to place free or trial samples of medicine, dyes, ink, coloring or polishing compounds in any form, where children can secure the same," approved May second, one thousand nine hundred and one.

An act entitled "An act to prevent burgesses and councilmen of the several boroughs within this Commonwealth from soliciting or receiving bribes and to punish any person who may offer to bribe the same," approved May second, one thousand nine hundred and one.

An act entitled "An act to amend an act approved the twenty-fifth day of June, Anno Domini, one thousand eight hundred and ninety-five. 'Creating and defining the offense of disorderly conduct by persons on the public highways, roads, streets, lanes, alleys, parks, squares or commons of the Commonwealth, or near thereto, and fixing penalties for committing such offense, so as to provide for the right of appeal,'" approved May second, one thousand nine hundred and one.

An act entitled "An act prohibiting the public presentation for profit of unpublished dramatic plays and musical compositions, without consent of the

authors thereof, and providing punishment for violation of the provisions of this Act," approved May twenty-ninth, one thousand nine hundred and one.

An act entitled "An act relating to the arrest and punishment of professional thieves, burglars and pick-pockets," approved June seventh, one thousand nine hundred and one.

An act entitled "An act to prohibit the manufacture and sale of fire crackers containing dynamite," approved June nineteenth, one thousand nine hundred and one.

An act entitled "An act to prevent the importation and selling in the Commonwealth of Pennsylvania, of dressed carcasses of lamb and sheep with the hoofs on," approved June twentieth, one thousand nine hundred and one.

An act entitled "An act making it a misdemeanor for any person connected with any line of telegraph or telephone within this State to use or cause to be used, or make known, or cause to be made known, or in any manner divulge the contents of any telegraphic or telephonic dispatch and prescribing the punishment therefor," approved July tenth, one thousand nine hundred and one.

An act entitled "An act to prevent bigamous marriages, defining same and declaring same misdemeanors fixing the punishment; declaring certain marriages void; exempting certain persons from the penalties; marking out limits of time within which the prosecution must be brought, and repealing inconsistent acts," approved March twenty-seventh, one thousand nine hundred and three.

An act entitled "An act making it a misdemeanor

for persons to unlawfully use or wear any insignia or button of any association, society, or trades union," approved March twenty-seventh, one thousand nine hundred and three.

Section three of an act entitled "An act to amend sections two and three of an act entitled 'An act to provide for the adoption of trade marks, labels, symbols or private stamps by any incorporated or unincorporated association or union of working men and to regulate the same,' approved March twenty-one, Anno Domini, one thousand eight hundred and ninety-five, amended by an act approved May second, Anno Domini, one thousand nine hundred and one," approved April third, one thousand nine hundred and three.

An act entitled "An act for the protection of the health of persons addicted to the smoking of cigarettes and imposing a fine for the violation of its provisions," approved April fourth, one thousand nine hundred and three.

An act entitled "An act prohibiting athletic exhibitions of longer duration than twelve hours in every calendar day," approved April eleventh, one thousand nine hundred and three.

An act entitled "An act to prohibit the discharge of flobert rifles, air guns, spring guns, in cities and boroughs of this Commonwealth," approved April fifteenth, one thousand nine hundred and three.

An act entitled "An act to amend an act approved the twenty-eighth day of June, one thousand eight hundred and eighty-five, entitled 'A supplement to an act to consolidate, revise and amend the penal laws of this Commonwealth,' approved the thirty-first day of

March, one thousand eight hundred and sixty; prohibiting the disposing of property to defraud creditors and prohibiting the removing of any property out of any county to prevent the same from being levied upon or sold on execution," approved April twenty-second, one thousand nine hundred and three.

An act entitled "An act to prevent officers or members of boards of managers of institutions, receiving appropriations of State money, from selling supplies to such institution or acting as agent for sale of the same," approved April twenty-third, one thousand nine hundred and three.

An act entitled "An act to amend Section one hundred and fifty-four of the Act of March twenty-one, one thousand eight hundred and sixty, entitled 'An act to consolidate, revise and amend the penal laws of this Commonwealth,'" approved April twenty-fourth, one thousand nine hundred and three.

An act entitled "An act to prevent and punish the stealing of wire forming part of a line for the transmission of electricity," approved March eighth, one thousand nine hundred and five.

An act entitled "An act making it a misdemeanor for persons to have in their possession certain mechanical devices or tools, commonly called 'burglar tools' and prescribing the punishment thereof," approved March fourteenth, one thousand nine hundred and five.

An act entitled "An act to amend an act entitled 'An act for the protection of the health of persons addicted to the smoking of cigarettes and imposing a fine for the violation of its provisions,' approved April fourth, Anno Domini, one thousand nine hundred and

three," approved March sixteenth, one thousand nine hundred and five.

An act entitled "An act to prohibit the sale or use of certain fireworks, firecrackers, pistols, explosive canes and ammunition, and providing penalties for violations thereof," approved March twenty-fourth, one thousand nine hundred and five.

An act entitled "An act providing for the punishment of male persons frequenting bawdy houses, or taking money or other valuable things from the proprietress or inmate thereof," approved April eighteenth, one thousand nine hundred and five.

An act entitled "An act to prevent the buying and selling of infant children and providing for the punishment therefor," approved April eighteenth, one thousand nine hundred and five.

An act entitled "An act to prohibit the throwing of waste paper, sweepings, ashes, household waste, nails or rubbish of any kind into any street, in any city, borough or township in this Commonwealth, or to disturb the contents of any receptacle placed upon any street or sidewalk for collection," approved April twentieth, one thousand nine hundred and five.

An act entitled "An act to amend an act entitled 'An act to consolidate, revise and amend the penal laws of this Commonwealth,' approved the thirty-first day of March, one thousand eight hundred and sixty, and supplement thereto, providing for the punishment of persons committing or attempting to commit a felony with explosives," approved April twenty-second, one thousand nine hundred and five.

An act entitled "An act to prohibit the fraudulent use of the name or title of secret fraternities, societies,



orders or organizations; also prohibiting the fraudulent wearing or using of any emblem, badge, batton or insignia of such secret fraternal organization and fixing the penalty for violation of this act," approved March twenty-eighth, one thousand nine hundred and seven.

An act entitled "An act making false statements, reports, entries in books and exhibiting false papers of any bank, trust company, or building and loan association, a misdemeanor," approved May eighth, one thousand nine hundred and seven.

An act entitled "An act to prohibit the depositing, casting, throwing or placing of packages, parcels, or samples of medicines or candies in the houses, buildings, porches, verandas or on the lawns, lands, streets, or public highways, within this Commonwealth and prescribing penalties for the violation thereof," approved May eighth, one thousand nine hundred and seven.

An act entitled "An act to prevent and punish the desecration of the flag of the United States, and of this State," approved May twenty-third, one thousand nine hundred and seven.

Sections two and three of an act entitled "An act to provide for the better protection of children under the age of sixteen years, and providing punishment for the violation thereof," approved May twenty-ninth, one thousand nine hundred and seven.

An act entitled "An act providing for the protection of minor children; and providing penalties for the violation thereof," approved March twenty-fourth, one thousand nine hundred and nine.

An act entitled "An act prohibiting the buying, having or receiving of stolen property, in the Commonwealth of Pennsylvania, and providing for the punishment thereof," approved April twenty-third, one thousand nine hundred and nine.

An act entitled "An act making it a misdemeanor for any president, vice-president, cashier, treasurer, secretary, teller, bookkeeper, clerk, employee, or agent of any mutual savings bank, savings bank, bank of discount and deposit, trust company, title insurance company, surety company, or safe deposit company, incorporated under the laws of this Commonwealth; or of any private bank or unincorporated association, receiving deposits of money; or of any building and loan association, incorporated under the laws of this Commonwealth or authorized to do business therein; his or their aiders and abettors, to embezzle, abstract or wilfully misapply any of the moneys, funds, or credits of such institution; or to issue certificates of deposit, draw any order or bill of exchange, make any acceptance, assign any note, bond, draft, bill of exchange, mortgage, judgment or other instrument in writing, without authority from the directors of such institution, with intent to deceive or defraud; or to make a false entry in the books, reports or statements thereof, with like intent; prescribing penalties and authorizing the Banking Commissioner to institute prosecutions," approved April twenty-third, one thousand nine hundred and nine.

An act entitled "An act making it a misdemeanor for any person to make, utter, circulate, or transmit false or derogatory statements affecting the solvency or financial standing of any bank, banking

house, banking company, trust company, surety company, guaranty company, title insurance company, or other financial institution, in this Commonwealth; and providing penalties for violation of this act," approved April twenty-third, one thousand nine hundred and nine.

An act entitled "An act making it a misdemeanor to destroy, remove, or deface any sign, erected on or near by a highway, for the guidance of the public; and providing for the punishment of violations of this act," approved April twenty-third, one thousand nine hundred and nine.

An act entitled "An act for the protection of livery stable keepers, and fixing a penalty for any violation thereof," approved April twenty-seventh, one thousand nine hundred and nine.

An act entitled "An act to prevent the inducing, enticing, or procuring, or attempting to induce, entice or procure, into the Commonwealth of Pennsylvania, any woman or girl for immoral purposes; and providing a punishment for the violation thereof," approved May first, one thousand nine hundred and nine.

An act entitled "An act making it a misdemeanor for any officer of this Commonwealth to authorize to be paid, or for the State Treasurer to pay, any money out of the State Treasury, except in accordance with the provisions of an act of Assembly specifying the amount and purpose of the expenditure; or for any officer of this Commonwealth to authorize to be paid, or for the State Treasurer to pay, any money out of the State Treasury, in excess of the amount of such specific appropriation; and providing

penalties for the violation thereof," approved May eleventh, one thousand nine hundred and nine.

An act entitled "An act to regulate the amusement and places of public amusement in this Commonwealth, by prohibiting any dramatic, theatrical, operatic or vaudeville exhibition, or the exhibition of any fixed or moving pictures, of a lascivious, sacrilegious, obscene, indecent, or immoral nature or character; and providing penalties for the violation thereof," approved April thirteenth, one thousand nine hundred and eleven.

An act entitled "An act to protect the dignity and honor of the uniform of the United States, in the State of Pennsylvania; and providing a penalty for any violation thereof," approved May fifth, one thousand nine hundred and eleven.

An act entitled "An act to protect the State Forest Reserves; and providing punishment for the violation thereof," approved May fifth, one thousand nine hundred and eleven.

An act entitled "An act to prohibit the bringing into prisons of all weapons or other implements which may be used to injure any convict or person, or in assisting any convict to escape punishment, or the selling or furnishing of same to convicts; to prohibit the bringing into prisons of all spirituous or fermented liquors, drugs, medicines, poisons, opium, morphine, or any other kind or character of narcotics; or the giving, selling or furnishing of spirituous or fermented liquor, drugs, medicines, poison, opium, morphine, or any other kind or character of narcotics; or bringing into or taking out letters, notes, money, or contraband goods of any kind, whatsoever; and

providing a penalty for the violation thereof," approved May eleventh, one thousand nine hundred and eleven.

An act entitled "An act to regulate the use of fire crackers, fire works, blank cartridges, pellets, tablets, et cetera, in any county in this Commonwealth, and providing penalties for the violation thereof," approved June first, one thousand nine hundred and eleven.

An act entitled "An act defining what shall constitute the offense of malicious injury to railroads; providing the punishment therefor; fixing the punishment in case of loss of life as a result of such offense; and repealing Sections 142 and 143 of the act approved the thirty-first day of March, Anno Domini, one thousand eight hundred and sixty, entitled 'An act to consolidate, revise, and amend the penal laws of this Commonwealth,' and an act, approved the twenty-sixth day of May, Anno Domini, one thousand eight hundred and ninety-one, entitled 'An act defining the offense of the taking of human life through the wilful and malicious wrecking of cars and locomotives upon the railroads in this Commonwealth,'" approved June first, one thousand nine hundred and eleven.

An act entitled "An act to restrain and regulate the sale and manufacture of certain fire crackers, fire-works, and certain explosive materials, used in canes, cannons, pistols, or any toy; and providing penalties for the violation thereof," approved June first, one thousand nine hundred and eleven.

An act entitled "An act to amend an act entitled 'An act making the wilful and malicious taking or



removal of the waste or packing from out any journal box or boxes of any locomotive, engine, tender, carriage, coach, car, caboose, or truck, used or operated upon any railroad, whether the same be operated by steam or electricity, a felony, and providing penalties therefor,' approved the tenth day of June, Anno Domini, one thousand nine hundred and one, so as to include brasses or the air-appliances," approved June first, one thousand nine hundred and eleven.

An act entitled "An act for the protection of shade and fruit trees, growing on or along any highway, street, or road," approved June seventh, one thousand nine hundred and eleven.

An act entitled "An act defining and prohibiting pandering; providing penalties for violation thereof; and regulating competency of certain evidence at the trial thereof," approved June seventh, one thousand nine hundred and eleven.

An act entitled "An act to punish the interference, or the permitting of interference, of unauthorized persons with the electrical conductors, electrical appliances and machinery, electric meters, and other apparatus of companies using, generating, or supplying electricity for light, heat, or power; and to punish any consumer of electricity for knowingly having in his possession, or under his control, any electric meter that has been tampered with, or prevented from duly registering; and providing penalties therefor," approved June eighth, one thousand nine hundred and eleven.

An act entitled "An act making it a misdemeanor for an officer or employee of any employer of labor in Pennsylvania to solicit, demand, or receive, directly

or indirectly, from any person, any moneys or other valuable thing for the purpose, actual or alleged, of either obtaining for the latter employment in the service of the said employer, or continued in said employment, and providing for the punishment thereof on conviction," approved June ninth, one thousand nine hundred and eleven.

An act entitled "An act making it a misdemeanor to intimidate, levy blackmail, or extort money or other valuable thing, or to attempt so to do, from any person, and providing punishment therefor," approved June ninth, one thousand nine hundred and eleven.

An act entitled "An act to protect trees and woodlands, and providing punishment for the violation thereof," approved June ninth, one thousand nine hundred and eleven.

An act entitled "An act providing for the protection of owners of animals or vehicles, and providing penalties for the violation thereof," approved June thirteenth, one thousand nine hundred and eleven.

An act entitled "An act to amend an act, approved the first day of June, one thousand nine hundred and eleven, entitled 'An act defining what shall constitute the offense of malicious injury to railroads, providing a punishment therefor, fixing the punishment in case of loss of life as a result of such offense; and repealing Sections one hundred and forty-two and one hundred and forty-three of an act, approved the thirty-first day of March, Anno Domini, one thousand eight hundred and sixty, entitled "An act to consolidate, revise, and amend the penal laws of this Commonwealth," and an act approved the

twenty-sixth day of May, Anno Domini, one thousand eight hundred and ninety-one, entitled "An act defining the offense of taking human life through the wilful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth,"" approved May ninth, one thousand nine hundred and thirteen.

An act entitled "An act relating to extortion and attempted extortion by threats, and fixing a penalty therefor," approved May nineteenth, one thousand nine hundred and thirteen.

An act entitled "An act to amend Section one of an act, approved the twenty-first day of May, one thousand nine hundred and one, entitled 'An act creating and defining the offense of disorderly conduct by persons on railroad and railway cars, public or private parks, and picnic grounds kept for the amusement of the public in this Commonwealth, and fixing the penalties for the commission of such offenses,' and imposing duties on conductors," approved May nineteenth, one thousand nine hundred and thirteen.

An act entitled "An act for the protection of keepers of garages, or automobile shops; and providing a penalty for the removal of automobiles from the said garage or shop with intent to defraud the keepers or owners," approved June fifth, one thousand nine hundred and thirteen.

An act entitled "An act to further protect the rights and liberty of the people of this Commonwealth when under arrest upon a bailable criminal charge; making its infraction a misdemeanor, and providing punishment therefor," approved April ninth, one thousand nine hundred and fifteen.

Section fifty-eight of an act entitled "An act providing for the organization, discipline, maintenance and regulation of the militia of the Commonwealth," approved April ninth, one thousand nine hundred and fifteen.

An act entitled "An act relating to balloons, and imposing a penalty," approved May sixth, one thousand nine hundred and fifteen.

An act entitled "An act to prohibit the unauthorized use of certain containers in the sale, exchange, or delivery of milk, cream, or their products, or any other products, and prescribing penalties," approved May seventeenth, one thousand nine hundred and seventeen.

An act entitled "An act making the fraudulent conversion of property or the proceeds of property a misdemeanor; prescribing the penalties therefor; and regulating the procedure therein," approved May eighteenth, one thousand nine hundred and seventeen.

An act entitled "An act regulating the conduct and prescribing the duties of drivers or operators of automobiles, motorcycles, or other vehicles on public highways, who shall injure any person or persons by so driving on said highway, and providing penalties for violations of this act," approved May twenty-fourth, one thousand nine hundred and seventeen.

Section thirty-two of an act entitled "An act providing for the organization, government, discipline, maintenance and regulation of an additional armed land force, for the defense of the Commonwealth of Pennsylvania during any war in which the United States may become engaged," approved June

twenty-second, one thousand nine hundred and seventeen.

An act entitled "An act making it a misdemeanor to take, remove, steal, or destroy any seed or plants after the same have been sown or planted," approved June twenty-eighth, one thousand nine hundred and seventeen.

An act entitled "An act amending Section one of the Act of June twenty-third, one thousand eight hundred and eighty-five (Pamphlet Laws, one hundred and forty-five) entitled 'An act to protect oil, gas and water wells, tanks, pipes and machinery connected therewith, and to prevent wilful and malicious injury thereto' extending the provisions thereof to reservoirs, stand pipes, pumping stations, power houses and other buildings or appliances used for the supply of water or electric current," approved July sixth, one thousand nine hundred and seventeen.

An act entitled "An act to prohibit the use of cannon, guns, revolvers, or other explosive devices at wedding ceremonies, and providing a penalty," approved July eleventh, one thousand nine hundred and seventeen.

An act entitled "An act defining sodomy; and prescribing penalties for the commission of sodomy, assault with the intent to commit sodomy, and solicitation to commit sodomy," approved July sixteenth, one thousand nine hundred and seventeen.

An act entitled "An act to amend the first Section of an act, approved the eighteenth day of April, Anno Domini, one thousand nine hundred and five, entitled 'An act for the better regulation of public pool-rooms, billiard-rooms, bowling and tenpin alleys



in the Commonwealth of Pennsylvania' and to regulate the time for closing the same," approved July seventeenth one thousand nine hundred and seventeen.

An act entitled "An act to amend Section one hundred of an act, approved the thirty-first day of March, one thousand eight hundred and sixty (Pamphlet Laws, three hundred eighty-two), entitled 'An act to consolidate, revise, and amend the penal laws of this Commonwealth,'" approved April eighteenth, one thousand nine hundred and nineteen.

An act entitled "An act declaring it a misdemeanor for any maker or drawer, with intent to defraud, to make or draw or utter or deliver any check, draft, or order, when such person has not sufficient funds in, or credit with, the depository upon which the same is drawn," approved April eighteenth, one thousand nine hundred and nineteen.

An act entitled "An act to prevent the felonious taking and stealing of motor vehicles, and the receiving and purchasing of stolen motor vehicles," approved May first, one thousand nine hundred and nineteen.

Sections seven and eight of an act entitled "An act to amend and revise an act, entitled 'An act providing for the incorporation, regulation, and government of cities of the third class; regulating the nomination and election of municipal officers therein; and repealing, cancelling and extending existing laws in relation thereto,' approved the twenty-seventh day of June, Anno Domini, one thousand nine hundred and thirteen, enlarging, changing, modifying and defining certain of the powers of cities of the third class,"

approved May twenty-seventh, one thousand nine hundred and nineteen.

An act entitled "An act making it a felony to receive or bring, or assist in receiving or bringing, into the Commonwealth of Pennsylvania, any stolen property, and fixing a penalty," approved June twentieth, one thousand nine hundred and nineteen.

An act entitled "An act defining sedition and prescribing the punishment therefor," approved June twenty-sixth, one thousand nine hundred and nineteen.

An act entitled "An act declaring it a felony to wilfully and maliciously burn or cause to be burned, or to set fire to, or attempt to set fire to, any motor vehicle," approved July seventh, one thousand nine hundred and nineteen.

An act entitled "An act prohibiting advertisement relating to the treatment of diseases of the generative organs. and prescribing penalties," approved July twenty-first, one thousand nine hundred and nineteen.

An act entitled "An act making it a misdemeanor for persons to unlawfully use or wear the insignia or button of the American Legion or the official decorations of said organization," approved March thirty-first, one thousand nine hundred and twenty-one.

An act entitled "An act making it unlawful to accept or offer inducements to procure a defeat in any athletic contest," approved April thirteenth, one thousand nine hundred and twenty-one.

An act entitled "An act making it unlawful to turn in or sound false alarms of fire and to meddle or interfere with or break or destroy any fire alarm

telegraph system," approved April thirteenth, one thousand nine hundred and twenty-one.

An act entitled "An act prohibiting advertisements of cures or medicines relating to venereal diseases and certain sexual disorders, and prescribing the penalties," approved April twenty-first, one thousand nine hundred and twenty-one.

An act entitled "An act making it unlawful to give or offer money to secure proxies for use at meetings of insurance companies," approved May fifth, one thousand nine hundred and twenty-one.

Section three of an act entitled "An act to supplement an act entitled 'An act authorizing the erection and construction by counties of memorial halls in memory of soldiers, sailors and marines of such counties, providing for an election to determine whether such hall shall be erected; providing for the purchase and condemnation of property for such purposes; regulating the use of such halls; and providing for the maintenance and care of the same, by a board of control, at the expense of the county; approved the seventeenth day of March, one thousand nine hundred and twenty-one, by providing for the planting of memorial trees, and prescribing penalties," approved May fifth, one thousand nine hundred and twenty-one.

An act entitled "An act to amend section one of the act approved the twenty-sixth day of June, one thousand nine hundred and nineteen, entitled 'An act defining sedition, and prescribing the punishment therefor,'" approved May tenth, one thousand nine hundred and twenty-one

Sections two, three and four of an act entitled "An act defining a private game preserve, and making it a misdemeanor to enter such preserve for certain purposes or to break, injure or destroy the enclosure of the same, and fixing penalties," approved May tenth, one thousand nine hundred and twenty-one.

Section thirty-nine of an act entitled "An act providing for the organization, government, discipline, maintenance, and regulation of the armed land forces of this Commonwealth," approved May seventeenth, one thousand nine hundred and twenty-one.

An act entitled "An act to amend an act, approved the ninth day of May, one thousand nine hundred and thirteen (Pamphlet Laws, one hundred and ninety-eight), entitled 'An act prohibiting the furnishing, by gift, sale, or otherwise, of cigarettes or cigarette paper to minors; requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained; and providing penalties for violation of this act,' providing for the punishment of first and second offenses by summary conviction and fine," approved May seventeenth, one thousand nine hundred and twenty-one.

An act entitled "An act giving additional protection to human beings in this Commonwealth, and imposing penalties upon those who may shoot at or wound or kill a human being in mistake for either game or other wild creatures," approved May twentieth, one thousand nine hundred and twenty-one.

An act entitled "An act to amend section fifty-five of an act, approved the thirty-first day of March, one thousand eight hundred and sixty (Pamphlet



Laws, three hundred and eighty-two), entitled 'An act to Consolidate, Revise and Amend the Penal Laws of this Commonwealth,' approved March twenty-sixth, one thousand nine hundred and twenty-three.

An act entitled "An act to amend an act, approved the thirty-first day of March, one thousand nine hundred and twenty-one (Pamphlet Law, seventy-eight), entitled 'An act to prohibit the speeding and racing of certain motor vehicles to fires, the parking of motor vehicles in the vicinity of fires, and the driving of motor vehicles over lines of hose,' by extending the provisions thereof to all vehicles," approved April twenty-sixth, one thousand nine hundred and twenty-three.

An act entitled "An act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same," approved May ninth, one thousand nine hundred and twenty-three.

Section thirteen of an act, entitled "An act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War; imposing certain duties on the Adjutant General; making an appropriation; and repealing inconsistent legislation," approved May sixteenth, one thousand nine hundred and twenty-three.

Sections five, six, eight, eleven and twelve of an act, entitled "An act to assure to persons within the jurisdiction of every county the equal protection of the laws, by providing for their removal from the county and their trial in certain criminal cases by a



court of quarter sessions of the peace or oyer and terminer of another county; imposing penalties upon the counties and officers thereof for failure to provide proper protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act; and imposing certain duties upon the Superior Court," approved May nineteenth, one thousand nine hundred and twenty-three.

An act entitled "An act to amend section seventy-four of the act. approved the thirty-first day of March, one thousand eight hundred and sixty (Pamphlet Law, three hundred and eighty-two), entitled 'An act to consolidate, revise and amend the penal laws of this Commonwealth'; approved May twenty-second, one thousand nine hundred and twenty-three.

An act entitled "An Act prohibiting persons from concealing, changing or destroying manufacturers' serial numbers or identification marks upon machines or apparatus, or from taking possession of any such machines with the knowledge of such concealment, change or destruction; and prescribing penalties for violation thereof," approved May thirty-first, one thousand nine hundred and twenty-three.

Section twenty-four of an act entitled "An act allowing and regulating boxing, sparring and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," approved June fourteenth, one thousand nine hundred and twenty-three.

An act entitled "An act prohibiting the purchase, sale, accepting as a pledge or pawn, offering for sale, stealing, or conversion of medals, buttons, insignias, or decorations granted by the Government of the United States for services in the army, navy, marine or nurses' corps," approved June twenty-eighth, one thousand nine hundred and twenty-three.

An act entitled "An act to prohibit the bribing of agents, employes, or servants, and the giving or use of false documents with intent to deceive a principal, employer, or master; to regulate evidence in such proceedings; and to provide penalties for violation of this act," approved May twenty-ninth, one thousand nine hundred and twenty-three.

Section two of an act entitled "An act for the repression of prostitution and assignation; making it unlawful to solicit, aid or permit prostitution, or to use or permit the use of any place for the purpose of prostitution or assignation; making certain evidence admissible in proceedings under this act; authorizing the commitment of prostitutes to private institutions; providing for their parole; and prescribing penalties," approved June thirtieth, one thousand nine hundred and twenty-three.













